

A regular meeting of the Board of Supervisors of Albemarle County, Virginia, was held on January 15, 2020 at 1:00 p.m., Lane Auditorium, Second Floor, County Office Building, McIntire Road, Charlottesville, Virginia.

PRESENT: Mr. Ned Gallaway (arrived at 5:50 p.m.), Ms. Ann H. Mallek, Ms. Diantha H. McKeel, Ms. Liz A. Palmer, and Ms. Donna P. Price.

ABSENT: Ms. Beatrice (Bea) J. S. LaPisto-Kirtley

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

Agenda Item No. 1. Call to Order. The meeting was called to order at 1:11 p.m. by the Vice-Chair, Ms. Price.

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

Agenda Item No. 4. Adoption of Final Agenda.

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

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

Ms. Price explained that Mr. Gallaway was called away for work and that he hoped he would be able to arrive to the meeting later. She said Ms. LaPisto-Kirtley would not be present, as she had a death in the family.

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

Ms. McKeel said as the Board goes through their day, and the coming days, she would like them to think about their neighbors and friends in Australia and the terrible tragedy and environmental catastrophe they were experiencing. She said the U.S. was providing help as they can but that watching it on television was jarring.

Ms. McKeel said she looked at a map at the area in Australia that had burned so far and superimposed it over the State of Virginia. She said it was shocking the amount of land they have lost, as well as wildlife and people's lives.

Ms. Palmer said she would usually bring up her point near the end of the meeting, during Board Reports, but that she wanted to bring it up earlier so that more people could hear it. She first thanked Ms. McKeel for remembering the people of Australia, agreeing that it was a terrible thing. She said she would be talking about something entirely different.

Ms. Palmer said Rivanna Solid Waste Authority (RSWA) now has a more formal agreement with Strategic Materials (in the Danville area). She said Strategic Materials is a glass recycler that will turn the glass bottles the County sends there into new bottles, or the residual goes to make fiberglass insulation. She said the RSWA knew that the glass that is picked up by Time Disposal, County Waste, and other haulers who pick up combined recyclables are going out to a materials recovery facility (MRF), and that although this material does get reused as alternative daily cover for the landfill, and is basically sprayed on the landfill.

Ms. Palmer said Strategic Materials said they will take all the glass the County can get, and so RSWA is looking for ways to reach out to the area's wineries, breweries, and cideries to let them know that if they choose to have their glass go like this, they can bring it to McIntire or Ivy. She said they are also reaching out to the neighboring countries that have stopped glass recycling and if they can get it to Ivy, Albemarle will take care of it.

Ms. Palmer said she would be preparing an email that explains this and will send it to the Board, and then they can distribute it to let others know.

Ms. Mallek said the Crozet School of the Arts was having their open house, along with their artists' and teachers' performance day, that Saturday in the afternoon. She said this was one of two lessors who are using the old Crozet Elementary School (which was formerly the high school). She said there are many different classes across the areas of dance, music, improv, and craft. She said a couple years ago, she attended the performance, and that there was a world-renowned cellist there.

Introductions. At this time, Ms. Price introduced staff present and the presiding security officers, Lt. Terry Walls and Officer Dominick Zambrotta.

Agenda Item No. 6. Proclamations and Recognitions.

Item No. 6.a. Resolution Recognizing Elton Oliver

Motion was offered by Ms. Price to adopt the Resolution Recognizing Elton Oliver. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price

NAYS: None.

ABSENT: Mr. Gallaway and Ms. LaPisto-Kirtley

Resolution Recognizing Elton J. Oliver

WHEREAS, Elton J. Oliver has served Albemarle County with distinction for eighteen years representing the Scottsville District as a Director of the Economic Development Authority of Albemarle County from 2002 to 2020; and

WHEREAS, Elton J. Oliver's stewardship as the Secretary-Treasurer has provided stability as the Authority transitioned from an Industrial Development Authority to an Economic Development Authority; and

WHEREAS, Elton J. Oliver's dedication and service has enabled the Economic Development Authority to issue bonds to promote and foster economic growth in Albemarle County; and

WHEREAS, Elton J. Oliver's faithful attendance at Economic Development meetings and functions has allowed the Authority to conduct its affairs in an efficient and timely manner; and

WHEREAS, Elton J. Oliver's consistent and deliberate manner has added a key element of thoughtfulness and wisdom to the Economic Development Authority's decision-making process; and

NOW, THEREFORE, BE IT RESOLVED, that we the Albemarle County Board of Supervisors do hereby honor and commend Elton J. Oliver is for his eighteen years of service to Albemarle County and its residents as a Director of the Economic Development Authority representing the Scottsville District.

Signed this 15th day of January 2020

Mr. Oliver thanked the Board for their recognition. He said it has been an honor to serve on the Economic Development Authority (EDA) for the last 18 years. He said from the change it started with when he began on the board in 2002, with it being a conduit for the tax-exempt bonds in the County, to now where it is transforming into a more integral and vibrant part of the economic development activity in Albemarle County, he has been very appreciative of the work and that he was reappointed each term.

Mr. Rod Gentry (Chair, EDA) said Mr. Oliver was a tireless worker. He said his bosses were present and would also say this. He said Mr. Oliver also likes understatement and that this was a time not to understate, but to say how important his presence, experience, thoughtfulness, and fiscal maturity was regarding an organization and the role it has played. He said Mr. Oliver has worked very closely with the Finance department and that his institutional knowledge would be tremendously missed after 18 years, adding that he was virtually irreplaceable.

Ms. Price asked that photos be taken of Mr. Oliver and Mr. Gentry to remember the moment.

Ms. Price thanked Mr. Oliver for his professional service and friendship. She said that although he would be missed in his role, she knew he would still be working for the community.

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

Dr. Charles Battig (Scottsville District) said that regarding the tragedy in Australia, authorities there have arrested over 150 suspects who have been suspected of starting the fires purposely.

Dr. Battig said there were things that local environmental groups were not saying. He said water vapor is the number one greenhouse gas, according to Professor Michael Mann at UVA, adding that one cannot tax water vapors conveniently.

Dr. Battig said that manmade carbon dioxide was a hypothesis that has not been proved. He said there was no manmade climate emergency, and that carbon dioxide is essential to human life.

Dr. Battig said extreme weather events began much longer before anything to do with coal plants and SUVs. He said the UN IPCC says there is low confidence in any observed long-term increase; or, in other words, they did not know if there were any more cyclones. He said the same thing went for climate change and floods, that the IPCC cannot tell whether there are more or less and that there is no extreme. He said the IPCC said that even if there were no manmade changes in the climate, there would still be extreme weather events.

Dr. Battig said electric vehicles have been touted as a solution. He said he liked to call them a mission somewhere else. He said there were children in the Congo being beaten to harvest the cobalt and other essential elements that go into the vehicles. He said coal and natural gas will continue powering cars, and manufacturing of the electric batteries is toxic.

Dr. Battig said when building a new wind farm, a new fossil fuel plant is being built, and that those various plants survive on subsidies.

Dr. Battig said they would be hearing a lot about the clean air, healthy air, and ICLEI efforts. He said the scientific advisory committee to the EPA in the past fall decided that they must revisit their data, as their relevant facts are not enough to determine anything.

Dr. Battig said another progressive eco group, Deep Green Resistance, came clean with having “down with capitalism” as their true goal. He said the U.N. and Greta Thunberg have said as much. He said this environmental group said that renewable energy is a government-backed hoax and benefits rich people and big corporations.

Dr. Battig asked who benefits from all this, theorizing that Al Gore has certainly done so. He said nothing they would do would change the environment and that they would be granting favors to people already given the backdoor entrance to crafting the design of what is coming forward. He asked who would be looking out for the local taxpayers.

Mr. Sean Tubbs (Piedmont Environmental Council) said 2020 would be a busy year in land use and transportation. He said the Board got off to a good start with last week’s transportation presentation and that they would soon be having their first land use discussion when they will be discussing Community Development’s plan for Fill and Waste issues. He said this was a topic that, last September, the Board prioritized swiftly when there was an item that came up before it. He said he looked forward to the Board’s conversation that day on that topic, as staff had suggested some interesting ideas.

Mr. Tubbs said he was primarily there to talk about transit and community mobility, which includes walking and biking in the community and having safe places to do so. He said on the consent agenda that day was support for the Afton Express Service, which he learned at the Regional Transit Partnership last month that the start-up costs are being funded extensively by UVA. He said this would not have happened without the Board’s leadership and influence on UVA to become a full member of the RTP.

Mr. Tubbs said the Board of Supervisors’ investments in JAUNT were also admirable. He said he was watching the Commonwealth Transportation Board meeting the day before and learned that JAUNT is one of 17 of the State’s transit agencies that had a ridership increase in 2019, which he believed it to be 4.9%. He said this would not have happened without the Board’s attention and investment.

Mr. Tubbs said he wanted to talk about an item that PEC was helping to sponsor the following week. He pointed out that it was one thing to provide the routes, but it was another thing to get people on them and understand why they take them or don’t take them. He said Census data on single-occupancy vehicles over the past few years had not budged, noting that it was in both the City’s and County’s Comprehensive Plans to reduce that number. He said he didn’t care how they did it, but that he knew they would have to take many strategies to get there.

Mr. Tubbs said in order to do this, they would need people, and would need to understand the barriers people have to not getting out of their car. He said this was not an event that was going to be intended to tell them what to do, but that it was simply a listening session that the Institute for Environmental Negotiation at UVA would be part of. He said it would hopefully be part of a community conversation that would continue throughout the year, as the Thomas Jefferson Planning District Commission works on a transit development visioning plan.

Mr. Tubbs said the City of Charlottesville and the Center for Civic Innovations were also partners in the event. He said there would be people from UVA there, as well as Kevin McDermott from the County. He said if they can understand what the barriers are, it will help build a better system as all the different pieces come together in 2020.

Ms. Price closed Matters from the Public.

Agenda Item No. 8. Consent Agenda.

Motion was then offered by Ms. Mallek to approve the consent agenda. Ms. McKeel **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price

NAYS: None.

ABSENT: Mr. Gallaway and Ms. LaPisto-Kirtley

Item No. 8.1. Approval of Minutes: June 5, June 19, July 3, July 9, July 10, and July 17, 2019.

Ms. Mallek had read the minutes of June 5, 2019 and July 9, 2019 and found them to be in order.

Mr. Gallaway's minutes of June 19, 2019 and July 17, 2019, were carried forward to the next meeting.

Ms. McKeel had read the minutes of July 3, 2019 and found them to be in order.

Ms. Palmer had read the minutes of July 10, 2019 and found them to be in order.

By the above-recorded vote, the minutes of June 5, July 3, July 9, and July 10, 2019 were approved as read.

Item No. 8.2. Resolution for Scenic River Designation for James River.

The Executive Summary forwarded to the Board states that, at the request of the County of Albemarle and the Town of Scottsville, the Department of Conservation and Recreation (DCR) conducted an evaluation of the James River from the Town of Scottsville to the boat launch one mile upstream of Warren. The evaluation criteria for Scenic River designation include stream corridor vegetation; streambed and stream flow modifications; human development of visual corridor; historic features; landscape; quality of fishery; rare, threatened or endangered species; water quality; parallel roads; crossings; and special features affecting aesthetics.

Attachment A is the 2019 James Scenic River Report with information from DCR describing the process in making the determination and includes the impacts of a Scenic Stream designation. The next step in the designation process would be for the Board of Supervisors to adopt a resolution supporting the designation. If the resolution is adopted, the County, upon the recommendation of the Director, DCR would then request the General Assembly adopt legislation to make a formal designation in the 2020 session.

The Board may hold a public hearing on the proposed designation, but a public hearing is not required.

This request began as a larger community effort involving Buckingham County, Fluvanna County, and the Town of Scottsville joining to represent a portion of the river designated as the Middle James. Attachment B is the DCR's qualification letter.

The designation of a river as "scenic" by the General Assembly is governed by the "State Scenic Rivers Act" (Virginia Code Section 10.1-400, et seq.). The only applicable limitation contained in the enabling legislation is as follows: After designation of any river or section of river as a scenic river by the General Assembly, no dam or other structure impeding the natural flow thereof shall be constructed, operated or maintained in such river or section of the river unless specifically authorized by an act of the General Assembly. DCR staff have clarified that bridges are typically not considered a structure that would "impede the natural flow," with the possible exception of unique "bridge" structures such as a low level/water level bridge or a constructed ford. DCR staff advised that while the Scenic River status would not prevent a road or pedestrian crossing from being constructed, if Federal or State funds were used for the construction of such a project, there would be an emphasis placed on the aesthetic design of the crossing to be in harmony with the scenic status of the river. Projects might be expected to use design features such as see-through guardrail and other features that provide easy visual access to the river.

The following summarizes the impact of the designation:

- The designation does not impose any restrictions on private property.
- The only legislative prohibition of Scenic River designation is that no dam or other structure "impeding the natural flow" shall be constructed without General Assembly authorization.
- It does NOT give the public any right to use privately owned land.
- In general, designation is intended to recognize the scenic, natural and historic values of the river and to encourage present and future owners to continue to exercise good stewardship of the land and resources along the river. It also informs County officials about the special attributes of the river, so that they can work with landowners to protect those attributes.

Since the designation does not establish any new restrictions on private properties except restrictions on the construction of dams or other structures impeding the flow of the river, staff does not believe a public hearing is necessary to support this designation. The intent of the designation is consistent with the County's Comprehensive Plan goals to protect natural, cultural and historic resources and to designate eligible streams for Scenic River designation. A resolution recommending Scenic River designation for Albemarle County's section of the James River is attached (Attachment C).

There is no direct budget impact from establishing the Scenic River designation. The designation would provide opportunities for grants related to enhancing and protecting this section of the river.

Staff recommends the Board adopt the attached resolution (Attachment C) supporting State Scenic River designation for the James River from the Town of Scottsville to the boat launch one mile above Warren.

By the above-recorded vote, the Board adopted the following resolution supporting State Scenic River designation for the James River from the Town of Scottsville to the boat launch one mile above Warren:

**RESOLUTION TO SUPPORT STATE SCENIC RIVER DESIGNATION
FOR THE PORTION OF THE JAMES RIVER FROM THE TOWN OF SCOTTSVILLE TO A LOCATION
ONE MILE UPSTREAM OF WARREN**

WHEREAS, the Code of Virginia, pursuant to Title 10.1, Sections 10.1-400 through 10.1-418.9, provides for a “Scenic Rivers Act” under the jurisdiction of the Virginia Department of Conservation and Recreation; and

WHEREAS, the portion of the James River from the Town of Scottsville upstream to a location one mile above Warren has qualified to be designated as a State Scenic River; and

WHEREAS, the Albemarle County Comprehensive Plan recognizes this designation and supports a strategy to pursue additional designations for rivers meeting state criteria; and

WHEREAS, designation of this portion of the James River as a Scenic River would recognize the quality and value of this natural and scenic resource; and

WHEREAS, on August 8, 2019, by letter to Danette Poole, Director of the Division of Planning and Recreation Resources, the Albemarle County Executive requested that the Virginia Department of Conservation and Recreation conduct a study of this portion of the Rivanna River to determine its potential as a State Scenic River; and

WHEREAS, on November 25, 2019, by letter to the Albemarle County Executive, Kelly McClary, Acting Director of the Division of Planning and Recreation Resources, declared that this portion of the James River was found to qualify for Virginia Scenic River designation.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby expresses its support for the designation of the James River from the Town of Scottsville upstream to the boat launch one mile above Warren to (a distance of approximately seven miles) as a “Scenic River” pursuant to the Scenic Rivers Act, Virginia Code Section 10.1-400 *et seq.*

BE IT FURTHER RESOLVED, that the Albemarle County Board of Supervisors does hereby respectfully request that the members of the Virginia General Assembly representing Albemarle County introduce legislation in the 2020 session so designating this section of the James River as a “Scenic River.”

Item No. 8.3. Resolution of Support for Afton Express Transit Service Grant.

The Executive Summary forwarded to the Board states that, examining the feasibility for inter-regional transit service between the Staunton-Augusta County-Waynesboro area and the Charlottesville-Albemarle County area has occurred over the past four years. These planning efforts have been based on identification of the need for this service in multiple prior planning efforts. With the assistance of the Staunton-Augusta-Waynesboro and Charlottesville-Albemarle MPO's, the local jurisdictions and the universities, a feasibility study exploring this concept was coordinated by the Central Shenandoah Planning District Commission (CSPDC) and completed in 2017. This report was then provided to the Virginia Department of Rail and Public Transportation (DRPT) for their review and guidance on potential next steps.

Earlier this year, DRPT contracted with consultant Kimley-Horn to complete an additional study to confirm demand, to develop a detailed service plan and budget, and to identify potential funding sources. A stakeholder group representing multiple jurisdictions and the University of Virginia was assembled to work with the consultant on what is now referred to as the proposed “Afton Express” transit service. This stakeholder group provided the consultant with commute-related information regarding their workforce(s) and participated in two meetings related to the development of the Service Plan.

The proposed route includes two stops at the University of Virginia, two stops in downtown Charlottesville and a stop in Albemarle County, at Fifth Street Station. The DRPT requires that commitment from the local partners accompany the grant application which is due in early February 2020. This commitment indicates the intent to enter into an agreement with the other local funding partners and to provide the local match share each fiscal year of this initial term of service starting in FY2021. The University of Virginia through its University Transit Services has proposed committing a total three-year contribution of \$69,655. The balance of the match, \$34,878 would be split equally between the City of Charlottesville and Albemarle County for a total of \$17,437 each.

At this time, the CSPDC is requesting an expression of intent from the “East-Side” partners to continue to participate in service-related planning activities, to enter into an agreement with the local partners, and to provide a share of the local funding each fiscal year of this initial term. The attached Resolution demonstrates Albemarle County’s support and intent to partner on this project and provide its share of the local match to allow the CSPDC to proceed with the grant application.

If the DRPT grant is approved for funding Albemarle County would be requested to provide its share of the local match totaling \$17,437 over four fiscal years. The payment plan would be as follows: \$770 in FY21, \$5,443 in FY22, \$5,547 in FY23, and \$5,677 in FY24.

If the Board adopts the attached Resolution to support this grant, and the DRPT awards the grant to the CSPDC, staff will bring appropriation requests to the Board for approval in each of the four fiscal years as referenced above during the normal annual budget process.

Staff recommends the Board adopt the attached Resolution in support of the Afton Express Transit Grant.

By the above-recorded vote, the Board adopted the following Resolution in support of the Afton Express Transit Grant:

**RESOLUTION OF SUPPORT
FOR THE AFTON EXPRESS TRANSIT SERVICE GRANT APPLICATION**

WHEREAS, the Albemarle County Board of Supervisors has routinely provided funding to the City of Charlottesville’s Charlottesville Area Transit and to JAUNT for both fixed route and on-demand public transportation services for areas within the County of Albemarle; and

WHEREAS, Virginia Code §15.2-947 enables local governing bodies to contract with any authority providing public transportation in contiguous localities for transportation services or the interchange of passengers for the purpose of providing continuous service between localities; and

WHEREAS, the Albemarle County Comprehensive Plan Transportation Objective 3 states, “multi-modal transportation has been a hallmark of the Charlottesville Albemarle long-range transportation plan, including traffic demand management techniques. It is also a key principle in the Neighborhood Model, as discussed in the Land Use for Development Areas Chapter. Providing regional multimodal transportation options featured prominently in the joint City-County policy recommendations in the Livable Communities Planning Project. Albemarle County strives to promote transit-friendly, walkable, mixed-use communities that are served by multiple transportation modes. A connected, mixed-used community can reduce the number of vehicle miles traveled (VMT) and, thereby, improve citizens’ health by reducing vehicle emissions”; and

WHEREAS, the SHRP II Interstate 64 Corridor Plan developed by the Charlottesville Albemarle Metropolitan Planning Organization in December 2017 identified in Goal # 1: “further integrate transit into the corridor through supporting research and development of inter-regional transit options; and

WHEREAS, the SHRP II Interstate 64 Corridor Plan identified that 4,597 workers from Augusta County and the Cities of Waynesboro and Staunton travel daily into the Albemarle-Charlottesville area; and

WHEREAS, the Central Shenandoah Planning District Commission developed an I-81/I-64 Inter-Regional Public Transportation Feasibility Study that identifies a plan to provide public transit services connecting stops in Staunton, Fishersville, Waynesboro, Charlottesville and Albemarle County with eight daily trips on Mondays through Fridays; and

WHEREAS, the Feasibility Study’s recommended services estimate a removal of at least 21,000 single occupant vehicle trips per year from the corridor travel; and

WHEREAS, the cost to run this service from Fiscal Year 2021 through Fiscal Year 2024 is estimated at \$1,145,297, which includes a required local match of \$209,058 for this period; and

WHEREAS, each of the local governments and the University of Virginia are being requested to provide a portion of the required local match; and

WHEREAS, Albemarle County’s portion of the required match is a total of \$17,437 over the Fiscal Years 2021 through 2024; and

WHEREAS, the Albemarle County Board of Supervisors recognizes the need to reduce single occupant vehicles within the Interstate 64 corridor reducing carbon emissions, reducing traffic congestion and destination parking, improving travel times and improving traffic safety; and

NOW, THEREFORE, BE IT RESOLVED THAT for purposes of public necessity, convenience, and general welfare, the Albemarle County Board of Supervisors hereby supports the recommended Afton Express Transit Service Plan that includes at least one Albemarle County stop for Fiscal Years 2021 through 2024; and

BE IT FURTHER RESOLVED THAT the Albemarle County Board of Supervisors supports the total contribution of \$17,437 toward the local match to provide the Afton Express Transit Services for Fiscal Years 2021 through 2024.

Item No. 8.4. Road Naming and Property Numbering Ordinance and Manual.

The Executive Summary forwarded to the Board states that standards and specifications relative to road naming, road signage, and property numbering are guided by County Code § 7-200. In 1992, the County adopted the Road Naming and Property Numbering Ordinance and Manual to improve delivery of emergency services and to assure consistent addressing and road naming standards and procedures, and incorporated them into the County Code by reference. In both 2001 and 2002, changes were adopted to both the Road Naming and Property Numbering Ordinance and Manual. In 2017, the Manual was amended to incorporate half numbers.

The Federal Highway Administration (FHWA) provides national standards for traffic control devices through publication of the Manual for Uniform Traffic Control Devices for streets and highways (MUTCD), which was last updated in 2009 and included changes that affect the County Manual. Updates to the County Manual include those updates.

This Ordinance amendment includes the updating of the designation of agent to the Director of Community Development, reflecting organizational changes. In addition, the Ordinance and Manual amendments clarify that property numbering is based on addressable structures and provide updates to language for more clarity. The grid system for addressing was removed in its entirety. Further, these recommendations include current MUTCD updates to provide clarity in language and definitions, updates to sign sizes, and updates driven by changes within the Manual on Uniform Traffic Control Devices (MUTCD).

The changes recommended by Staff will result in a change in practice without any additional burden or any required staff additions. Therefore, no budget impact is anticipated at this time.

Staff recommends that the Board adopt the attached Resolution (Attachment A) to amend the County’s Road Naming and Property Numbering Manual (Attachment B) and to schedule a public hearing to consider the adoption of the related proposed Ordinance (Attachment C).

By the above-recorded vote, the Board adopted the following resolution to amend the County’s Road Naming and Property Numbering Manual (Attachment B) and to schedule a public hearing to consider the adoption of the related proposed Ordinance (Attachment C):

WHEREAS, the Albemarle County Road Naming and Property Numbering Manual (“Manual”) has been adopted by the Board of Supervisors; and

WHEREAS, the Board desires to amend the Manual.

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Supervisors of Albemarle County, Virginia, hereby amends the Albemarle County Road Naming and Property Numbering Manual, as set forth on the attached document, attached hereto and incorporated herein.

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**ALBEMARLE COUNTY
ROAD NAMING AND PROPERTY NUMBERING MANUAL**

INTRODUCTION

This Manual prescribes a system for the naming of roads; the numbering of properties and structures; and the erection and maintenance of associated signage as provided for in County Code § 7-200, et seq.

The Director of the Department of Community Development or their designee shall be responsible for the interpretation and administration of the provisions of this Manual.

DEFINITIONS

Addressable Structure: Any building used for human habitation, or gathering, or for the production or sale of goods or services.

Agent: The Albemarle County Director of Community Development.

Computer Aided Dispatch (CAD) System: computer system used to manage incoming 911 calls at the Charlottesville-University of Virginia-Albemarle County Emergency Communications Center.

Designator: Suffix used to indicate the road type.

Geographic Information System (GIS): A system used for the management, analysis, and display of geographic knowledge that is represented using a series of information sets including mapping, data, and processing and workflow models.

Primary Access: A road or driveway used as the primary means of vehicular access to an addressable structure.

PART I. ROAD NAMING

1. Roads Requiring Names

All roads within the County which serve or are designed to serve three or more addressable structures shall be named.

2. Review and Approval of Proposed Road Names

The agent shall review all proposed road names for conformance with the guidelines established herein. If a proposed road name is found to be in accordance with all provisions of Part I of this Manual, the agent shall approve the name.

3. Maintenance of Master Road Names Directory and Road Names Map

All approved road names shall reside in the County's GIS maintained in the offices of the agent.

4. Road Name Guidelines

The following guidelines shall be complied with; however, the agent may modify, vary, or waive any guideline in Part I, Section 4, for a particular case.

- a. A proposed road name which duplicates an existing or reserved road name within a United States Postal Service zip code that is located in Albemarle County or the City of Charlottesville shall not be approved. An exception may be made for dead end streets which have the same name as the road from which they originate (e.g., "Amberfield Court" which originates from "Amberfield Drive").
- b. Road names are limited to three words, not including the road type designator.
- c. A road name shall not exceed 16 characters, including spaces. The designator's abbreviation does not count towards this limit.
- d. A road name shall not include numbers, dashes, apostrophes, or other non-alphabetical characters.
- e. Compass points such as NORTH and EAST shall not be used in road names.
- f. Articles (the, a, an) shall not be used to begin road names.
- g. Road names duplicating facilities or generic descriptions of road features shall not be approved (e.g., "Bowling Alley," "Tennis Court," "Dirt Road").
- h. Usage of names derived from community names or geographic features shall be limited to locations in close proximity to such communities or geographic features.
- i. No proposed road name shall be approved which begins with a word that appears as the first word in five or more official road names. Homophones and homographs are considered the same word for the purposes of this restriction. The restriction also includes roads where the first word is concatenated to subsequent words or contains different punctuation marks (e.g., Greensleeves Rd is considered to start with the "Green" or "Star's" is considered the same as "Stars").
- j. No proposed name shall be a homophone or homograph of an official road name or may be easily confused with an official road name (e.g., "Forrestview" and "Forestvue" are homophones and "bow" in "Bow and Curtsie Ln" and "Bow Tie Dr" is a homograph).
- k. When a proposed road is a continuation of or in alignment with an approved road, it shall utilize the same road name as the approved road. A new road name shall be required if the proposed road is disconnected from the existing road by an offset greater than 60 feet.
- l. When a proposed road name is spelled in a way that could lead to confusion during emergency response, the agent shall suggest an alternative road name. Examples include words with very few vowels or non-standard spellings (e.g., "Checkrz Ln" or "Nite Owl Rd").

5. Road Type Designators

Road type designators shall be consistent with the roadway's expected traffic use, width of right-of-way, and physical design/location.

While it is intended that these guidelines be complied with, the agent may modify, vary, or waive any guideline in Part 1, Section 5, in a particular case.

**ALBEMARLE COUNTY
STREET AND ROAD TYPE DESIGNATIONS**

<i>ALY</i>	<i>Alley</i>	A narrow or minor road in a community.
<i>AVE</i>	<i>Avenue</i>	A major road in a community.
<i>BND</i>	<i>Bend</i>	Generally a minor road in subdivision.
<i>BLF</i>	<i>Bluff</i>	Generally along high ground.
<i>BLVD</i>	<i>Boulevard</i>	Wide road with median and landscaping.
<i>BR</i>	<i>Branch</i>	Generally a narrow minor road either coming off a major road (it may reconnect with the original road it split from), or connecting two or more minor roads.
<i>BRK</i>	<i>Brook</i>	A narrow or minor road running along or near a past or present waterway.
<i>CYN</i>	<i>Canyon</i>	A narrow road lined on both sides by tall landforms or buildings.
<i>CTR</i>	<i>Center</i>	Shopping, commercial areas.
<i>CIR</i>	<i>Circle</i>	A road which returns to itself.
<i>CMN</i>	<i>Common</i>	See "Square".
<i>CV</i>	<i>Cove</i>	Generally a minor road in a subdivision.
<i>CT</i>	<i>Court</i>	Generally shorter, permanent dead ends or cul-de-sacs.
<i>CRK</i>	<i>Creek</i>	See "Brook".
<i>CRES</i>	<i>Crescent</i>	Generally shorter, permanent dead ends or cul-de-sacs.
<i>CRST</i>	<i>Crest</i>	Generally short curved minor roads.
<i>XING</i>	<i>Crossing</i>	A road which crosses a geographic feature such as a creek or mountain pass or, a short road that serves as a connector between two other roads.
<i>XRD</i>	<i>Crossroad</i>	A road that runs through one or more major intersections, or a road the runs through multiple intersections with minor roads.
<i>DR</i>	<i>Drive</i>	A winding arterial/collector.
<i>EST</i>	<i>Estate</i>	Single ownership (three or more dwellings).
<i>EXT</i>	<i>Extended (Extension)</i>	A road or street that extends a previously existing road to serve as a connector between main roads, communities, commercial areas, or a combination of these.
<i>FARM</i>	<i>Farm**</i>	Single ownership (three or more dwellings).
<i>FRD</i>	<i>Ford</i>	A road that crosses a past or present or present waterway.
<i>GLN</i>	<i>Glen</i>	Generally a road that runs through or along a narrow valley.
<i>GRN</i>	<i>Green(e)</i>	See "Square".
<i>GRV</i>	<i>Grove</i>	Generally a minor road in a subdivision.
<i>HTS</i>	<i>Heights</i>	Generally along high ground.
<i>HL</i>	<i>Hill</i>	Generally along high ground.
<i>HWY</i>	<i>Highway</i>	Federal or state designated primary road.
<i>HOLW</i>	<i>Hollow</i>	Generally a road that runs through or along a geographic area characterized by one or more natural depressions.
<i>KNL</i>	<i>Knoll</i>	Generally along high ground.
<i>LN</i>	<i>Lane</i>	Generally a narrow road.
<i>LOOP</i>	<i>Loop</i>	A drive which begins and ends on the same road.
<i>MNR</i>	<i>Manor</i>	Single ownership (three or more dwellings).
<i>MDW</i>	<i>Meadow</i>	Generally a minor road running through an area of low-lying grassland.
<i>MEWS</i>	<i>Mews</i>	A road or street lined on either side by dwellings converted from stables or dwellings built to look like stables, or a road running through an area with groups of stables.
<i>MIL</i>	<i>Mill</i>	A minor road or street running to or near a past or present mill, factory, processing plant, workshop, or other similar structure.
<i>MTN</i>	<i>Mountain</i>	Generally along high ground at an elevation greater than that for a hill.
<i>PARK</i>	<i>Park</i>	Reserved for entranceways to public parks.
<i>PKWY</i>	<i>Parkway</i>	A scenic or landscaped road.
<i>PASS</i>	<i>Pass</i>	See "Trail" or "Path".
<i>PSGE</i>	<i>Passage</i>	A narrow minor road lined on either side by buildings or geologic formations that serves as a connector between two other roads.
<i>PATH</i>	<i>Path</i>	A short and/or narrow road.
<i>PL</i>	<i>Place</i>	A dead end or cul-de-sac road from which other cul-de-sacs originate.
<i>PNES</i>	<i>Pines</i>	A narrow road running through an area dominated, in the past or present, by pine trees or pineapple plants.
<i>PLZ</i>	<i>Plaza</i>	See "Square".
<i>PT</i>	<i>Point</i>	Generally along high ground.
<i>REACH</i>	<i>Reach**</i>	Generally a minor road in a subdivision.
<i>RNCH</i>	<i>Ranch</i>	A road leading to or running alongside a large farm(s).
<i>RST</i>	<i>Rest</i>	A short or narrow road with a dead end or cul-de-sac.
<i>RDG</i>	<i>Ridge</i>	Generally along high ground.
<i>RIV</i>	<i>River</i>	See "Brook".

RD	Road	Generally an arterial/collector road connecting to the primary system.
ROW	Row	A short street that parallels another road.
RUN	Run	See "Trail" or "Path".
SPG	Spring	See "Brook".
SPUR	Spur	Usually a short minor road coming off a longer, major road that neither connects with another major road nor reconnects with the original road it branched from.
SQ	Square	Generally a central area with buildings clustered around it.
STA	Station	A road or street connecting to a stopping place with one or more buildings, like a commercial hub.
ST	Street	A community or subdivision road.
TER	Terrace	Generally a minor road in a subdivision.
TRCE	Trace	Generally a minor road in a subdivision.
TRL	Trail	Generally reserved for roads through uninhabited areas.
TPKE	Turnpike	Reserved for historic turnpikes.
VL Y	Valley	Generally a minor road running through an area of low lying grassland located between hills.
VW	View	See "Parkway".
WALK	Walk	See "Trail" or "Path".
WAY	Way	A minor road or street often which dead ends.

Four and five-letter designators may be spelled out completely in suffix space on sign.
****You may use Farm and Reach, but only if spelled out completely.**

6. Road Naming Process

- a. Policy on Participation in Road Naming
 - (1) The process of naming roads shall be limited to those who own property abutting the road in question.
 - (2) Where the road abuts several properties, the landowners shall be given the opportunity to propose the name.
 - (3) In the event that there is no participation from the landowners, or the landowners cannot agree on a name for the road, the agent shall name the road in accordance with County procedures.
- b. Processing Requests for Road Names

Requests to name roads shall be made in writing to the agent and shall include the following information:

 - (1) A list of the parcel numbers for the properties abutting the unnamed road along with the proposed name of the road.
 - (2) A list of all landowners having property abutting the road in question together with certification, to the satisfaction of the agent, that all such landowners were notified of the proposed name.
 - (3) Signatures of landowners representing a majority (greater than 50 percent) of parcels abutting the unnamed road in agreement of a common road name. When determining the percentage of the parcels abutting the road in question, a landowner owning more than one parcel abutting the road in question is equivalent to a landowner owning one parcel.

Upon validating that landowners of more than 50 percent of the parcels abutting the road in question have signed the petition in favor of a common road name, and that the proposed name is otherwise consistent with Part I of this Manual, the agent shall approve the road name.
- c. Road Name Reservation Process

Road names may be reserved during the preliminary plan or plat review process by a written request to the agent. Names shall remain reserved unless the project is disapproved, abandoned, or otherwise voided. Once a final subdivision plat or site plan is approved, any reserved road names not used in the final plat or plan shall no longer be reserved.
- d. Road Naming in the Subdivision and Site Development Review Process
 - (1) A developer may contact the agent prior to submission of a subdivision plat or site plan to determine the viability of proposed names. Road names may be reserved as provided in Section 6.c.

- (2) Proposed road names shall appear on all final site plans and subdivision plats, where applicable.
- (3) No final site plan or final subdivision plat shall be approved by the agent until all travel ways in the project requiring road names are assigned agent-approved road names.
- (4) Names approved on a preliminary plan/plat shall be reserved for the life of the preliminary plan/plat and shall be shown on the final plan/plat.

e. Road Name Change Process

Requests to rename roads shall be made in writing to the agent and shall include the following information:

- (1) A list of the parcel numbers for the properties abutting the road in question.
- (2) A list of all landowners having property abutting the road in question together with certification that all such landowners have been notified of the proposed name.
- (3) Signatures of landowners representing a majority (greater than 50 percent) of parcels abutting the road in agreement of a common road name. When determining the percentage of the parcels served by the road in question, a landowner owning more than one parcel served by the road in question is equivalent to a landowner owning one parcel.

Upon validating that landowners of more than 50 percent of the parcels abutting the road in question have signed the petition in favor of a common road name, and that the proposed name is consistent with Part I of this Manual, the agent may make an administrative approval to correct errors in prior road name approvals. In all other cases, the agent shall forward the road name change request to the Board of Supervisors for approval.

7. Final Authority of Board of Supervisors to Assign Road Names

The Board of Supervisors may name or rename any road at any time.

PART II. NUMBERING

1. Assignment of Numbers by Agent

- a. All numbers for properties and addressable structures shall be assigned by the agent following the procedures and guidelines contained in this Manual. Numbers assigned by any other person or entity shall not be recognized.
- b. Numbers shall be assigned to any new addressable structure shown on a site plan or lot created by subdivision. Numbers shall not be officially assigned until the final site plan or subdivision plat has been approved. Numbers shall also be assigned when requested by individuals for new structures that do not require site plan or subdivision approval.
- c. Number Range of Road Established
 - (1) A numbering grid overlay established number ranges for many existing roads. Extensions of these roads shall continue where the numbering concluded using procedures described in this section. For new roads, the low end of the number range will be at the point where the new road intersects an existing named road. Numbering shall then increase. The range values should be different from the range values of streets that the road may cross. (e.g., if an existing road has a range value in the 3000's, the new road that intersects the existing road should have a range value with three digits.) The lowest range value assigned for a road shall be 100. If a value range begins with an even number, it should end in an odd number or vice versa. This ensures address parity for CAD purposes. The agent, in their sole discretion, may deviate from the aforementioned numbering range for a road if any of the following factors create the need for a deviation: the type of development, the relationship of the road to existing roads, and the pattern of address numbers. In urbanized areas, some roads may be provided a 100 block numbering to create a city-style block numbering pattern even if blocks have different lengths.
 - (2) When a named road is also located in a neighboring jurisdiction, consideration will be given to numbering that already exists in the other jurisdiction. When a new, named road will extend into a neighboring jurisdiction, both jurisdictions will cooperate to establish a number range acceptable to both jurisdictions.
 - (3) No number shall be used more than once on a named road.

d. Numbers Assigned

The numbering of the addressable structures and properties along the road segment shall be done utilizing an equal-interval methodology resulting in one odd/even number pair for every 20 feet of road frontage. Modifications to this pattern may occur depending on the type of development involved, the relationship of the road to other roads around it, and the pattern of address numbers. For example, a shopping center with large anchor tenants and smaller shops may result in assignment of an even number such as 100 for the anchor tenant and adjacent smaller shops numbered in the 100s. Other anchor tenants may also receive an even number such as 200 with adjacent smaller shops numbered in the 200s.

2. General Numbering Guidelines

- a. Even numbers should occur on the right-hand side of the road in the direction of increasing range. Odd numbers should occur on the opposite side of the road.
- b. The specific number of an addressable structure or property shall be determined by the location where the structure or property's access intersects with the named road.
- c. The number sequence for addressable structures or properties on opposite sides of a road should conform to each other as nearly as possible.
- d. Half numbers may be used when there is no available address to assign under the General Numbering Guidelines to a detached structure requiring an address that shares its primary access with an existing structure with a primary address. The Agent may assign a new address using a half number with the existing primary address of the adjacent existing structure as a base. Alphabetical suffixes are acceptable when a secondary address designation is necessary within an existing addressable structure.
- e. Reverse frontage or through lots shall be numbered along the local road that provides access to the lot. The agent may assign numbers to addressable structures that are accessed only by an alley or sidewalk.
- f. Corner lots shall be numbered on the road that provides access. Where the driveway for a corner lot intersects more than one street or the corner lot's addressable structure is much closer to one road, the agent shall make the final determination as to which road to base the number, with consideration to such factors as the driveway's length, orientation of the structure, and other relevant factors.
- g. When two addressable structures share an access, they shall be numbered consecutively with adequate consideration given to possible future development and other addressable needs between the structures.
- h. A number may be issued to a structure that is intended to be temporary (such as a construction site trailer office), and upon removal of the temporary structure, the number shall be retired.

3. Manufactured/Mobile Home Developments

All roads within manufactured/mobile home parks shall be treated as private roads unless dedicated for maintenance by the Virginia Department of Transportation and road name and road signage shall apply accordingly. Each manufactured/mobile home lot shall be numbered in accordance with this Manual. The manufactured/mobile home park owner shall be responsible for posting lot numbers in a manner acceptable to the agent in accordance with Part IV, Section 1, of this Manual.

4. Residential Apartments and Other Multi-dwelling Structures

Individual apartment units shall be numbered considering the type of unit, the individual apartment entrance location, and building design as follows:

- a. Duplex: A number shall be provided to each individual unit at its front entrance.
- b. Townhouse: A number shall be provided to each individual unit at its front entrance.
- c. Garden Apartment: A number shall be provided to each unit at the entrance. If the apartment unit's entrance is located on an inside foyer, a number shall be provided outside the building entrance. Each unit located on such foyer shall be provided with a numerical suffix as a secondary method of addressing. Specifically, ground floors shall use suffixes in the 100's starting at unit 100, the second floor shall use the 200's starting at unit 200 and other levels will start in a similar fashion (the basement level shall use 000's starting at unit 001 or B001). The building number and road name followed by the apartment unit's numerical designation shall form the address (e.g., 630 Old Shady Grove Road, Unit 101). Numerical characters shall not be combined (e.g., 630-101 Old Shady Grove Road). The development name may also be used in the address whenever

desirable. For single level garden apartments and house apartments, letters may be acceptable as a secondary method of addressing.

5. Commercial, Office, and Industrial Complexes

For commercial, office, and industrial complexes, a numbering choice shall be made by the agent from several methods:

- a. Assign the number to the main building where all mail is to be received for the complex. The development name may be included in the address.
- b. Each principal building in the complex may be provided a separate number, and the buildings may also be named. The development name and/or the building name may be included in the address.
- c. For shopping center developments, a separate number shall be assigned for each unit's main entrance. The shopping center name should be included in the address. Consideration should be given when assigning numbers to provide flexibility for adding stores and redivision of spaces. In the event a space is further divided and no numbers remain available, alphabetical, or numerical unit designations shall be used.
- d. Interior mall shopping centers should have one number assigned for the entire mall. The shopping center name and store name should be included in the address. Individual stores should not be assigned numbers except that secondary addressing may be provided in accord with Part II(2)(d) of this Manual. A separate property number may be assigned for the mall business office.
- e. Where deemed appropriate by the agent, a multiple-story building may be assigned one address number at its main entrance. Individual units may be provided with secondary addressing based on floor numbering together with unit appellation such as "suite" or "room." The first floor shall be assigned numbers beginning with 100 and numbers on each successive floor should increase to the next highest multiple of 100.

6. Agencies to Be Notified of Numbers Assigned

- a. The agent shall maintain a database of addressable structures in the County's GIS that will be publicly available as provided by law. When assigning new addresses to addressable structures, the agent shall notify the property owner in writing as well as the local branch of the United States Postal Service that delivers mail to the new address.
- b. The agent shall also notify any other governmental agencies or departments and utilities about the assignment of an address upon request by any of the agencies, departments or utilities.

PART III. SPECIFICATION FOR ROAD NAME SIGNAGE

1. Materials and Physical Description for Signs

a. Standard Signs

Standard signs shall be used along all single lane roads except at intersections with multi-lane roads having posted speed limits greater than 40 mph.

A standard sign's height shall be nine inches. The road name sign blank shall be made from extruded aluminum material conforming to ASTM 6209 for Alloy 5052-H38 or its equivalent. The sign blank thickness shall be 0.83" or greater, and each corner of the sign blank shall be square cut.

b. Oversize Signs

Oversize signs shall be used along all multi-lane roads having posted speed limits greater than 40 mph and at single lane roads intersecting multi-lane roads having posted speed limits greater than 40 mph.

An oversize sign's height shall be 12 inches. The road name sign blank shall be made from flat aluminum material conforming to ASTM 6209 for Alloy 5052-H38 or its equivalent. The sign blank thickness shall be 0.080" or greater, and each corner of the sign shall be 1.5" radius cut.

c. Sign Dimensions

The letter type for all signs shall conform to Federal Highway Administration's "Standard Alphabets for Highway Signs," Series C, upper case and lower case, as prescribed below and in the latest version of the Manual on Uniform Traffic Control Devices (MUTCD).

The size of the sign blanks, message lettering, and reserved spaces for route and block numbers for Standard and Oversize signs are as follows:

	STANDARD (Local/Subdivision)	OVERSIZE (Primary/Collector)
<u>SIGN BLANKS</u>		
Horizontal length	30" min to 48" max	30" min to 60" max
Vertical length	9" (extruded)	12" (flat)
<u>RESERVED SPACES (Route Decal¹, Block Number, Suffix)</u>		
Horizontal Measurement	8"	12"
Vertical Measurement	2"	3"
<u>MESSAGE LETTERING: SIZE AND TYPE</u>		
Prefix	3" Series C	4" Series C
Name	6" letter group ² Series C	8" letter group Series C
Suffix	3" letter group Series C	4" letter group Series C
Route Decal	1.5" Series C	2" Series C
Private	1.5" Series C	2" Series C
Block Number	1.5" Series C	2" Series C

¹ For private roads, place the word PRIVATE in Route Decal Space.

² The "letter group" designation (e.g., 6") indicates the height of the uppercase letters, lower case letters will be proportional to the height of the uppercase letter for that group as detailed in the Standard Alphabet for Highway Signs.

The less common designators such as FARM, WAY, HEIGHTS, and TRACE may be placed in the main message field if space is available.

The sign may be constructed using the cut letter process. The green and white colors shall be uniform throughout the length of the sign.

- (1) When the cut letter process is used, the sign blank shall be covered on both sides for the entire length of the blank with a high intensity (prismatic) reflectorized green background sheeting, 3M "Scotchlite" brand product number 3877 or equivalent product. High intensity (prismatic) reflectorized sheeting 3M "Scotchlite" product number 3870 or equivalent product shall be used for the silver-white letters and numerals. The reflective material shall be applied to both sides of the blank name plate with mechanical equipment in a manner specified by the sheeting manufacturer. The sign background shall be comprised of not more than one piece of reflective sheeting. The letters and numerals shall be applied on both faces of the sign using the cut letter process. The reflective sheeting shall have a minimum guaranteed life of ten years. Signs shall be replaced when they surpass the minimum guaranteed life.
- (2) The maximum space available on a standard nine-inch (9") sign for the road name shall be 32 inches and an oversize twelve-inch (12") sign shall be 44 inches of space for the road name. Spacing between letters within a street name should conform to the spacing dimensions shown in the Virginia Supplement to the Manual on Uniform Traffic Control Devices for Streets and Highways unless this will result in a sign width greater than the maximum space available. If the name will not fit in the space available, a 30 percent force factor may be used. Finally, if the approved road name will not fit on the maximum length sign with the Series-C letters and a 30 percent force factor, the County Engineer may issue a waiver at their sole discretion.
- (3) At the end of the road name there are three spaces which are in a stacked orientation. These spaces are reserved for the route decal, the block number, and the road type suffix. If the block number is to be affixed in decal form, the decal shall be of the same material as the main sign sheeting. The directional triangle, a 1.5-inch equilateral triangle for the nine-inch sign or 2.0-inch equilateral triangle for the twelve-inch sign, of silver-white "Scotchlite" material or equivalent product, is to be affixed in front of or at the end of the block number to point in the direction of increasing numerical values. See "Detail B" for location of spaces.
- (4) The route field background shall be reflective white with vinyl, non-reflective black lettering/numbering.

2. Post and Hardware Specifications

- A. A metal post shall be used to mount all signs.
- B. The post shall be a 14-gauge square galvanized steel quick punch break-away post complete

with anchor base or equivalent, 9'x2"x2" for standard signs, and 10'x2"x2" for oversized signs. Hole diameters should be seven-sixteenths of an inch, centered, and aligned with holes on the opposite side.

- C. The standard signs shall be assembled and attached to the post using caps, cross pieces and heavy-duty aluminum vandal-resistant screws, bolts and/or nuts as depicted in Figures III-1 through III-5. The oversize signs shall be attached to the post using the direct-mount method and cap as depicted in Figures III-6 through III-10. The direct-mount method requires two single-sided oversize signs for each road name, mounted on opposing sides of the post. Each oversize sign shall be riveted to the post at two points horizontally centered on the sign – one point located one inch below the top edge and one point located one inch above the bottom edge. The two oversize signs shall be riveted to each other at each of the four corners, one inch from the corresponding horizontal edge and one (1) inch from the corresponding vertical edge. A two-inch spacer shall be used between the two oversize signs at each of the four corner points to ensure the two signs are rigid and have a consistent two-inch gap between them as depicted in Figure III-7.
- D. A special signpost and/or installation may be allowed at the discretion of the County Engineer, provided it is equal to or exceeds the specifications above. Where deviation from the standards is allowed, a sign maintenance agreement between Albemarle County and the responsible party may be required for the perpetual maintenance of any special installation.



Figure III-1
Standard (9") Sign



Figure III-2
Cap (Standard Sign Installation) Top View



Figure III-3
Cap (Standard Sign Installation) Side View

Standard Sign Cap Specifications:

- sized for 2" square tubing
- made of aluminum
- sign bracket designed for extruded blade
- sign slot 5¼" to 5½" in length
- each vertical surface pre-drilled for securing cap to post and sign to cap



Figure III-4
Cross Piece (Standard Sign Installation) Top View



Figure III-5
Cross Piece (Standard Sign Installation) Side View

Cross Piece Specifications:

- sign brackets set at 90°
- made of aluminum
- sign brackets designed for extruded blade
- sign slots 5¼" to 5½" in length
- each vertical surface pre-drilled for securing signs to cross piece

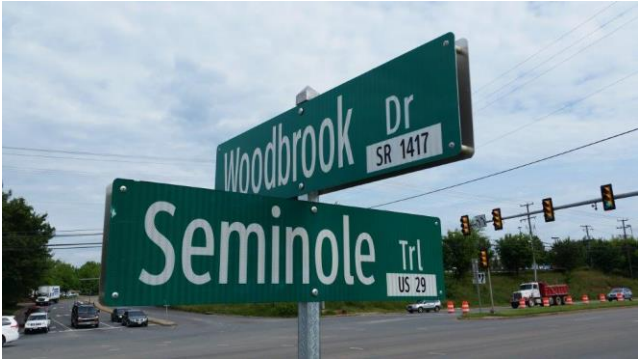


Figure III-6
Oversize (12") Sign Showing Direct Mount Method



Figure III-7
Oversize Sign Showing 2" Spacer (Gap) Detail



Figure III-8
Oversize Sign Showing Corner Attachment Detail



Figure III-9
Cap (Oversize Sign Installation) Top View



Figure III-10
Cap (Oversize Sign Installation) Side View

Oversized Sign Cap Specifications:

- sized for 2" square tubing
- made of aluminum
- pyramid shape
- design for pressure fit

3. Location of Post and Sign

- a. The signpost shall be placed in the road right-of-way a minimum of three horizontal feet from any above ground or underground utility or equipment line. The installer shall be responsible for contacting "Miss Utility" (1-800-552-7001 or 811) before installing signs. At the intersection of a primary and secondary road or in the event a road name changes at an intersection of two secondary roads, two sign locations are to be used. For all new roads, a minimum of two signs are required at every intersection. The signpost shall be located on the right-hand side of the street for a right turn onto the secondary road, where possible. The sign shall be a minimum of five horizontal feet on the centerline radius of the curve from the outer edge of the pavement for roads without ditch lines. The sign must be installed behind an existing ditch line while remaining within the road right-of-way. Those roads that have ditch lines less than three feet from the edge of pavement will have signs placed two horizontal feet back from the ditch line. (See "Detail A" for

diagram). For urban road sections with curb and gutter, the signpost will be placed behind the edge of the curb and five horizontal feet on the centerline radius of the curve from the edge of pavement. If a sidewalk is adjacent to the curb, then the signpost will be placed behind the sidewalk and within the right-of-way. Signs and posts shall not obstruct handicapped ramps or wheelchair loading areas in the vertical or horizontal direction.

- b. At the intersection of two secondary roads, only one sign location is to be used except as required in Section 3 of this Manual. This is to be the right-hand corner of the intersection for inbound traffic to the subdivision (see "Detail A" for diagram).
- c. The County Engineer may allow an alternate sign location upon finding that due to existing site conditions, the foregoing locational requirements cannot be practicably met, or that an alternate location will equally or better serve the purposes of this Manual. An alternate location must be confirmed with the County Engineer prior to installation of the sign.

PART IV. DISPLAY OF ADDRESS NUMBERS

1. General Guidelines for Display of Address Numbers

- a. Address numbers shall be displayed at the property's or addressable structure's primary access entrance on a mailbox, post, fence, or other suitable location that is easily discernible from the road. If the structure is 100 feet or less from the road, the entrance door of the structure is clearly visible from the road, and there is no mailbox, post, fence or other suitable location at the primary access entrance, numbers shall be displayed on, above, or at the side of the main entrance door in a manner that is clearly visible from the road upon which it is numbered.
- b. The address number shall be displayed as numerals and shall not be spelled out. Secondary address designations shall comply with Part II of this Manual.
- c. The numerals displayed, and where applicable, lettering, shall be at least three inches in height on a contrasting background (dark figures over a light background or light figures over a dark background).
- d. If the mailbox is not located on the named road from which the number is assigned, the entire address (number and road name) shall be shown on that mailbox to avoid confusion. In such cases, it will be necessary to also display the number on the property or addressable structure as stated above.
- e. On corner lots, the number shall only be displayed to face the street upon which the property is numbered.
- f. Any numbers previously displayed which could be confused with or mistaken for the assigned address number shall be removed from the mailbox and property.
- g. The property owner shall maintain numbers to ensure they are clearly discernible from the roadway upon which the property is numbered.

2. Display of Address Numbers for Multi-Unit Buildings and Multi-Building Complexes

- a. If a building is divided into multiple units with separate entrances, and each unit is assigned an individual number, then each unit number shall be displayed on or next to the main doorway.
- b. The address range of all individual unit numbers within a multi-unit building shall be displayed in a manner that is clearly visible from the road upon which the units are numbered. If more than one building shares an access, then the address range shall also be displayed on each building.

3. Additional Signage Required When Necessary

The agent may also require numbers or address ranges to be posted in additional locations as deemed necessary for the purpose of County Code §7-200, et seq.

Item No. 8.5. Resolution to Utilize Secondary Six Year Plan (SSYP) Funding for Two Permanent Radar Devices on Earlysville Road.

The Executive Summary forwarded to the Board states that, with the number of accidents and near misses at the intersection of Earlysville Road (Rt 743) and Reas Ford Road (Rt 660), staff and VDOT explored opportunities to improve public safety. Engineering analysis is underway by VDOT on longer-term solutions such as the potential for a Small-Scale or Revenue Sharing grant- funded roundabout for this intersection. However, the funding and completion of this solution is several years away.

Community Development staff and VDOT considered various options and have agreed two permanent radar speed signs, one in each direction that flashes when the maximum speed is exceeded, is the best solution for this interim period until the intersection can be improved.

While staff initially anticipated requesting that the Board consider use of reserve funding for this project, we later recognized that this project is aligned with the SSYP fund for Countywide Traffic Services. Proceeding this way will have VDOT lead the acquisition of easements (if needed for electric power as opposed to solar) as well as installation and maintenance of the radar speed sign. This will be a more expeditious and appropriate means for a project that relates to safety on public roads. With this funding and VDOT leading, the radar sign may be installed more quickly and will be maintained by VDOT as with other signals in the right-of-way.

There is no anticipated budgetary impact associated with this change.

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

By the above-recorded vote, the Board adopted the following Resolution to Utilize Secondary Six Year Plan Funds for Radar Installation:

**RESOLUTION TO UTILIZE SECONDARY SIX YEAR PLAN
FUNDS FOR RADAR INSTALLATION**

WHEREAS, Virginia Code § 33.2-331 provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six Year Plan (SSYP); and

WHEREAS, The SSYP allocates funding for the construction, maintenance, and improvement of roads in the state secondary system (roads with a route number of 600 or higher); and

WHEREAS, on June 19, 2019 the Albemarle County Board of Supervisors approved the SSYP (FY20-25) and authorized the County Executive to sign the SSYP (FY 20-25); and

WHEREAS, the use of Countywide Traffic Services funds from the SSYP for the installation and maintenance of two permanent radars devices at the intersection of Earlysville Road (Route 743) and Reas Ford Road (Route 660) is in the best interest of the County and of the citizens of the County.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle County Board of Supervisors hereby authorizes the use of Countywide Traffic Services funds from the SSYP for the installation and maintenance of two permanent radars devices at the intersection of Earlysville Road (Route 743) and Reas Ford Road (Route 660); and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Resident Engineer.

Agenda Item No. 9. FY 21 Budget Development Guidance.

The Executive Summary forwarded to the Board states that, in accordance with the budget development schedule, the Board of Supervisors holds a series of work sessions in the fall to review long-range fiscal planning information prior to the annual budget process.

The first work session, held on November 13, was a joint work session with the School Board. During the November 13 work session, the Board of Supervisors and School Board reviewed and discussed information on five-year revenue projections, the Capital Improvement Plan (CIP) Advisory Committee's recommendations for the FY 21- FY 25 CIP, major operational expenditure assumptions, and the School Division's five-year financial forecast.

At the December 4 and 18 work sessions, the Board of Supervisors received and discussed information on General Government's five-year financial plan, considered strategic uses of FY 19 year-end funding, and provided initial guidance on the FY 21 budget development process.

The provision of budget guidance in the context of long-range financial planning is an important component of the County's fiscal processes. These series of work sessions provide a venue for discussion regarding important longer-term priorities and creates a framework within which the FY 21 budget development will take place. The January 15 work session will be focused on guidance for the annual budget process.

These work sessions provide guidance for the development of the Recommended FY 21 Budget in context of the County's long-range financial plans.

Staff recommends that the Board of Supervisors provide direction to staff that will inform the upcoming FY 21 budget development process.

Ms. Lori Allshouse, Director of the Office of Management and Budget, presented. She said she was joined by Mr. Andy Bowman (Budget Manager). She said they were there to further the conversation

from the long-range financial plan to the annual budget and to seek the Board's additional guidance.

Ms. Allshouse said this was part of a series of meetings held that began in November. She said there had been a joint work session the School Board, during which they talked about long-range plan revenues, the CIP, and the School Division's Five-Year Financial Plan. She said on December 4, they looked at the General Government's five-year financial plan.

Ms. Allshouse said on December 18, they again (as a Board and staff) looked at the alignment of the long-range financial plan with the Board's Strategic Plan priorities. She said they also looked at the end-of-year funding so as Fiscal Year 19 ended, they looked at the General Fund fund balance and any funds that were unobligated from FY 19. She said this was typically done as part of the budget process. She said staff also began seeking the Board's guidance on the annual budget.

Ms. Allshouse said they had had a great discussion on December 18 and that staff wanted to continue this, as well as ensure that Ms. Price heard the information as well so that she can be involved in those conversations. She noted there were a few budget-related discussions on the agenda that day, with the Fire Rescue Service Challenges scheduled to be discussed later that afternoon. She said they would also be hearing from Finance on reassessments. She said those things could be connected as a thread throughout the day that have budget implications.

Ms. Allshouse said that with her presentation that day, she hoped to achieve three outcomes. She said she wanted to give the Board a recap of the notes she has taken on their conversations and guidance to make sure staff has captured everything they have said, to date. She said she would then provide the Board with updates on what is occurring as staff moves into the long-range framework into the annual budget process.

Ms. Allshouse noted that things are iterative and keep changing along the way, so she wanted to give the Board a sense of staff's world of changing information and provide them with key pieces of data that have occurred since they met on December 18.

Ms. Allshouse said staff would like to provide the Board with the opportunity to give staff further guidance on the FY 21 budget.

Ms. Allshouse began her presentation with a recap. She said in Albemarle County, long-range financial planning is done every year, and that this is done for several reasons. She said it was very important as they are a AAA bond-rated organization, and that this was a requirement of those localities throughout the nation to do long-range financial planning.

Ms. Allshouse said all the information provided to the Board in staff's long-range financial plans are based on assumptions at the time, noting that things change and that the Board would be seeing some new data.

Ms. Allshouse said when the Five-Year Plan was put together, the revenue projections indicated that revenues would continue to grow, but at a reduced rate of increase over the five years. She said the School Division provided their long-range financial plan, which showed a widening gap over the five years based on the assumptions and data they had at the time. She said General Government's Five-Year Plan was balanced in the first two years, per the Board's policy. She said staff worked to balance the first two years, but that they also showed a revenue/expenditure gap in the following three years.

Ms. Allshouse said both long-range plans included efforts to increase minimum wage. She said that given many things going on in the community, staff wanted to start that process. She said that at the time they did the long-range financial plans, they had the minimum wage increasing in the first year to \$12.75, with a longer-term plan to get this even higher.

Ms. Allshouse said another thing about long-range financial planning that is done is that the Capital Improvement Plan (CIP) is also a long-range financial plan. She said there was a lot of work done over many months to look at the CIP in a different way, and that recommendations were made by the CIP Advisory Committee, which were incorporated into the five-year plan. She said their recommendations and associated resources had some equivalent tax rate increases in it that would be dedicated to the CIP.

Ms. Allshouse said staff had shared with the Board on December 18 how all the plans support the County's Strategic Plan priorities.

Ms. Allshouse said she had some slides related to the General Government's expenditure drivers and CIP. She said the General Government is one of the three general areas that is included in five-year planning and that it includes the first step to address increasing the minimum wage to \$12.75. She said it had a 1.5% salary increase as well.

Ms. Allshouse said the County has many obligations, and that all those obligations were worked into the Five-Year Plan transfers. She said they also must take into account revenue-sharing with the City of Charlottesville, noting that this was an important component in the calculations and was also built into the Five-Year Plan.

Ms. Allshouse said there were many activities that occur in one fiscal year that must be remembered going into the next fiscal year. She said some of the things that have been completed in FY 20 are budget amendments and that along the way, those will have to be fully considered in FY 21. She

said the first thing they do as they think about the next year's budget is make sure that they bring along with them anything that had occurred in FY 20. She said when there are operating impacts associated with capital projects, they also build them into planning.

Ms. Allshouse said there was also a goal to maintain current levels of service in the Fire Rescue system.

Ms. Allshouse noted that the slide on the screen was one she has shared several times, which explained how staff was laying out the work that was done by the CIP Advisory Committee. She indicated to a section on the slide that represented the base CIP. She said CIP is a five-year capital program and that there was a base the committee began with that had a lot of the ongoing programs, including the courts and things that had already been planned in prior years. She said this section included some potential equivalent tax rate increases because of the multitude of things being done in the base plan.

Ms. Allshouse then indicated to another section of the slide that called out how much year-end funding there was. She explained that in addition to money that is put into the CIP that is reoccurring, at the end of each fiscal year, staff estimates some funds that would go to the CIP from year-end funding.

Ms. Allshouse indicated to the recommended CIP on the slide, noting that it shares what the CIP Advisory Committee presented. She said this was based on a lot of work done by both boards, and that the Board of Supervisors was very much involved in setting what was called a "cap" (based upon the County's debt requirements and other requirements) of how much additional potential projects could be placed in the CIP.

Ms. Allshouse indicated on the slide to the adjustments and changes that were recommended by the CIP Advisory Committee, which included Board members, School Board members, Planning Commission members, and a citizen-at-large. She said this was presented for consideration to the Board and staff as they are putting together the next year's budget, which includes the first year of the Capital (CIP) program.

Ms. Allshouse said she would share what staff had heard along the way, explaining that one of the most important things about long-range financial planning is what they hear in meetings. She said she had captured notes from those meetings.

Ms. Allshouse said on November 13, the Board and School Board worked together in a joint meeting. She said after staff presented its data, the two boards had a chance to converse. She said as they spoke together, they talked about advocating for increases in State funding for schools; talked jointly about Economic Development, affordable housing; and to help encourage the State to follow through on their funding requirements and what the County expects to fund as obligations.

Ms. Allshouse said the Board also had spoken with the School Board to coordinate on transit and transportation. She said it was mentioned not to forget possibilities of online learning. She said there was discussion about how to expand the economic "pie," and that there was also discussion about local business growth, in addition to other topics.

Ms. Allshouse said the next two meetings were only with the Board of Supervisors, not with the School Board. She noted that the School Board continued to have their separate budget discussions, and that the Board of Supervisors had its discussions on the long-range financial plan, moving towards the annual budget.

Ms. Allshouse said on December 4, the Board suggested that staff work with the School Division to prepare a chart for an upcoming meeting (noting that they did) to review the boards and commissions for increased efficiency, as this could perhaps free up staff time. She said there was discussion about considering establishing a fundraising matching structure mechanism to effectively involve community members to support capital projects. She said there was conversation about Economic Development and encouraging supporting businesses that demonstrate their support of the Climate Action Plan (included in the Strategic Plan). She said the guidance was to also have a work session on Fire Rescue.

Ms. Allshouse said for December 18, which was the last time she had meet with the Board, she had two slides of notes from that discussion. She said they had dug into how the long-range financial plan and CIP supports the Strategic Plan, and that there was a lot of conversation about climate action planning. She said there was a conversation about expecting to see solid waste planning as a part of climate action planning. She said there was conversation about rehab and weatherization of homes and its importance in climate action planning. She said there was information noted about the weatherization work that is already occurring in Southwood.

Ms. Allshouse said transit was another important consideration that was also discussed on December 18. She said there was discussion about possibly considering a recycling center (perhaps longer-term). She said there was news shared about a food composting project provided by a private entity. She said overall, there were many good conversations about the Strategic Plan alignment and the importance of the Climate Action Plan.

Ms. Allshouse said there was also the observation about the Transportation Leveraging Program. She said this was a project that was in the recommended CIP, and that it was important not only to one, but to a number of Strategic Plan priorities.

Ms. Allshouse said that also on December 18, the Board provided additional guidance to staff as they begin to think more towards the first year of the Five-Year Plan, which is the annual budget. She said staff looked at this end-of-year money as part of the conversation, with the thought of providing as much as possible to the capital program being encouraged.

Ms. Allshouse said they were asked to provide more information on efficiencies in the government and local government. She said there was a conversation about the consideration of employee-friendly programs to assist in recruiting and training quality staff, such as more training and opportunities that are not necessarily salary increases.

Ms. Allshouse recalled a yellow sheet that she had previously placed in front of the Board, which was a worksheet where staff worked from the end-of-year Comprehensive Annual Financial Report (CAFR) to the available unobligated funding that could be utilized. She said working through the worksheet, they talked about community requests that were coming forth that were leveraging, such as a request for funding from local government that might leverage other community activities. She said staff put a placeholder in as a consideration for some year-end funding for that.

Ms. Allshouse said the conversation was then about considering placing the placeholder into the Strategic Plan Initiative Reserve. She said there was a thought of, rather than creating something different, combining this. She said this would be part of the discussion planned for that day.

Ms. Allshouse said there was recognition that if the capital program increases, there would be a need to think about implementing and moving this forward. She said this could require some additional management.

Ms. Allshouse said she felt that she captured most of what everyone had said on December 18. She asked if there were any other comments from December 18 that she may have left out.

Ms. Mallek said she felt the recap was accurate. She said there was great support for including as much into the Capital Plan as they possibly could.

Ms. Allshouse said she would transition from the recap to the annual budget. She said this would involve drilling into the first year of that Five-Year Plan. She said what occurs along the way is that information changes, especially regarding revenues. She said they were working with assumptions from late summer and early fall on a lot of data that was put into the five-year financial planning, and that some very important changes had occurred (with some as recent as the week before). She said she wanted to make sure that the Board keeps up with where staff is with the numbers, noting that data could continue to change.

Ms. Allshouse said she would share two major areas: revenues, and Virginia Retirement System (VRS) information that staff had received right before the holidays.

Ms. Allshouse said on December 17, the Governor had announced his budget, and noted that this is a very important budget to the school system. She said there was no time to dig through that proposed budget before the December 18 to determine how it would affect the School Division.

Ms. Allshouse said there was good news in that budget, noting that the chart on the screen included a FY 21 (first year of the Five-Year Plan) projection number that had been placed in the five-year plan based on what they thought the State revenues were coming in, based on history and the best information they had at the time.

Ms. Allshouse showed on the slide the number that came from the Governor's budget, noting that the Governor's budget provided \$7.7 million (an increase of \$3.4 million from what was thought when the five-year financial plan was put together). She stressed that this was significant potential funding from the State for schools.

Ms. Palmer asked if this number was evenly distributed over the five years.

Ms. Allshouse said she was only talking about the first year. She said in the very first year, the funding from the State (compared to what had been thought) on the very first year was increasing.

Ms. Price asked if there were constraints or restrictions on how those funds could be used within the school system.

Ms. Allshouse replied that some of the money was designated. She said the budget office works very closely with the School Division, and that there were some drivers that the School Division shared with her of why the number has changed. She said overall, the State revenue estimates have increased, and so this alone increased funding for the County. She said the Local Composite Index (LCI) also had been adjusted.

Ms. McKeel said that this, in a way, was a mixed bag because when the LCI is favorable for the County, it means that their ability to pay has gone down. She said the benefit was relative.

Ms. Allshouse asked if there was also a lag in the data and the LCI.

Ms. McKeel replied yes, noting that there is a two-year lag. She reminded the Board that there was always more to the story than there seems.

Ms. Allshouse said this was important as there was a lag piece, and that this was notable as they think long-range, stressing that having long-range lenses on annual budgets are important.

Ms. Allshouse said the State aid formulas incorporate the enrollment increases, noting that enrollment did increase. She said when this happens in schools, it affects the formula, which was another reason for the funding increase.

Ms. McKeel remarked that this was another mixed bag. She said the increase is spent on more kids rather than the same number of children.

Ms. Allshouse agreed.

Ms. Allshouse said there were other policy and technical changes with benchmarking. She said that some funding was earmarked for at-risk students, English as a second language, and school counselors. She said there were therefore some areas in the school budget that were very focused in specific areas.

Ms. Allshouse said they had previously talked about the hopes that the State would provide additional funding, and that this has occurred for at least the first year of the Five Year Plan.

Ms. Allshouse said that the Board would receive information about the reassessments that occur in the first week of January. She said these were finished and that this came in higher than what was expected in the Five-Year Plan. She said this will potentially change the local revenues for FY 21.

Ms. Allshouse said another thing that occurred recently was the completion of the CAFR, which is the audited end-of-year for FY 19. She said this is when the numbers land, and then staff begins to look at the new fiscal year.

Ms. Allshouse said there is always new data coming in on how revenues come in and based on the longer-term data, staff has some new information that revenues are higher than the Five-Year Plan projected, especially in sales tax revenue, clerk's fees, and food and beverage tax. She explained there has been a change in interpretation of the law around sales tax that has to do with internet sales, and that staff believes this may be part of the reason why they are seeing the sales tax revenues coming in higher than previously anticipated.

Ms. Allshouse said staff was looking at potential recession risks, noting that people state-wide and nationwide had been talking about those risks during the summer. She said some of the data points that were trending have changed, and that the recession risks seem to have declined since the past summer. She said regionally, the job rate is robust, and the unemployment rate is low. She said interest rates have declined and that the stock market was strong, and thus, the broader economic indicators seemed to be more positive as staff puts together the revenue forecast for the upcoming budget.

Ms. Allshouse presented a slide that she said was very similar to the one she shared about the schools' revenues. She noted that the numbers on the slide were rounded. She indicated on the slide to what are called "shared revenues," explaining that there is a guideline that some call the "60/40 Formula," which involves sharing revenues with the School Division. She said the School Division was somewhat ahead of General Government on their budget, and so they would come out sooner. She said it was important for staff to work the numbers as quickly as they could to work closely with the School Division to give them the very most up-to-date information as they put their budget together.

Ms. Allshouse said the first row on the slide was called, "New Available Shared Tax Revenue," and that the first column said, "FY 21 Projected in the Five-Year Plan." She explained that she was showing what was projected in the Five-Year Plan for the first year compared to the updated number based on the new revenues and new information that the Board would hear about later that day, with the increase being included in the last column.

Ms. Allshouse noted that this was not year-over-year but was literally comparing the increase to what was in the planning number. She said this would look different if it was compared to a different base.

Ms. Allshouse said that the new available shared tax revenue had an increase of about \$6.4 million than what was thought for FY 21 in the plan. She said capital was also a part of this formula, and the Capital Program received an additional \$775,000. She said the Schools share was \$3.4 million, and the Local Government share would be \$2.2 million.

Ms. McKeel asked what percentage of the overall budget the General Government share (showed as a positive \$2.27 million) was.

Mr. Bowman asked if Ms. McKeel wanted to know what percent of the budget was for General Government.

Ms. McKeel said she was asking if they were receiving \$2.27 million more and that it was identified as "surplus." She said she didn't think about this as "surplus," but that this was how it is always

identified in the paper. She asked what percentage of the budget this was.

Mr. Bowman said the General Government budget was approximately \$300 million. He said \$2.27 million would be roughly six to seven tenths of a percent.

Ms. McKeel said that in the overall picture of how much money this is to County Government, it was important to keep this figure in mind. She said this was not a huge number when looking at the overall budget.

Ms. Allshouse noted it was about relativity.

Ms. McKeel encouraged everyone to look at it through a different lens.

Ms. Allshouse reminded that there is another revenue update that is done for the Board in March, and that staff would continue to watch the numbers. She said the numbers were somewhat fluid.

Ms. Mallek said the legislature was a long way from putting those numbers in concrete, and that the Board had a lot of work to do in Richmond to make sure they understand the matter. She asked if any of the numbers were in relation to a change in their per-pupil amount they were giving, or if it was overall economy that was causing this. She said she assumed the legislature had not yet gotten to the important change about the per pupil amount.

Ms. Allshouse said Ms. Mallek raised a very good point. She reminded that the State budget was a proposed budget and was not yet approved, and that staff was working with the best information they have at that time. She reminded that things could change.

Ms. Allshouse said staff looks at how the revenues may be changing, but that they also sometimes get more information about expenditures. She said staff received information on December 20 from the State that they are reducing the projected rate of return for General Government's VRS. She said the County has its own fund, and their group's rate of return has been reduced in the actuarial report. She said the impact is estimated at nearly \$1 million for General Government.

Ms. McKeel said this was important for employees in the State because there must be integrity to the system. She said they have seen states where, in some areas, their entire retirement system for their employees has crashed. She said this cannot happen in Virginia because it is criminal.

Ms. Allshouse said these were all the new updates she had since December 18. She said she would shift to the last part of the work session, which was for staff to get continued Board guidance.

Ms. Allshouse said staff would like Board guidance on the Unobligated General Fund fund balance. She represented the yellow worksheet that walks from the CAFR fund balance to the Unobligated Fund. She said this was past the obligations that must be set aside, as well as policies, that goes to a place where there is something that is unobligated, which staff and the Board had had a conversation about.

Ms. Allshouse said her next slides showed the conversation that was had, and the potential uses of Unobligated General Fund fund balance. She said these are usually done as part of the budgeting processes every year. She said working through the slide, she arrived at the top number of \$5.9 million. She said there were some of the potential uses listed below as well. She noted this was one-time money and was end-of-year fund balance, rather than an ongoing revenue. She said this would therefore be spent for one-time items.

Ms. Allshouse said the potential uses were built into the budget document, and as the Board receives its FY 21 recommended budget, they would receive information about this in the document. She said they talked about sending \$1.5 million of this amount to the CIP, based on a recommendation from the Advisory Committee.

Ms. Allshouse said they talked about a category called "Leveraging Capacity," as well as the Strategic Plan initiatives that were under Climate Action and Economic Development. She said the bottom line on the screen was potential uses in the FY 21 budget, noting that this was a routine thing done each year as a one-time cost in the budget. She said this is usually \$1-2 million per year.

Ms. Allshouse said there had been a lot of conversation about Leveraging Capacity, which was an item where more than one Board member recommended that instead of creating a new initiative, to add it to the Strategic Plan Initiatives Reserve that is not only for things that are community-driven, but also perhaps for things driven by the Board, for the Strategic Plan or other priorities. She said this could allow for the Board to remain nimble along the way.

Ms. Allshouse presented a slide highlighting the proposal for the change based on the guidance provided by the Board. She said she changed the name on that slide and said, "Add to Advancing Strategic Priority Reserve." She said the amount did not change.

Ms. McKeel said it was good to change the name, but for her, what they would have to do is use the money to advance the strategic priorities, as it was not just a matter of changing the name. She said the name change represents the work they will do and where they will actually want to put the money.

Ms. Mallek said there would need to be a discussion about how this money will be used. She mentioned that this is where the money would come from to use, for example, \$200,000 to help push VDOT to do an intersection change. She said perhaps this could be folded in as a strategic matter of health and safety, in which case, perhaps her concern was not needed. She said they also needed to remember where they came from with that and that this money was not all going to go to big projects. She said it was a way to get smaller things done, but things that are incredibly effective.

Ms. McKeel agreed, adding that it could affect the quality of life of the County's citizens.

Ms. Mallek said the \$1.5 million additional money for the CIP was on top of the slide that said \$3 million or so.

Ms. Allshouse explained that when the Board had looked at the yellow chart and the policies, there was the policy of sending over about \$800,000, and then the \$1.5 million would be added to this.

Ms. Mallek said the blue slide talked about how the shared local revenue would be an extra \$1.3 million, and so this was all going in. She said she hoped they would end up with about \$5-6 million after adding up all the pieces.

Ms. Allshouse said it was a matter of what the Board would want to send over, by policy.

Ms. Mallek asked if the 3% figure would be \$9 million for the long-time policy goal.

Mr. Bowman replied yes.

Ms. Mallek said they were still a long way from this, although getting closer.

Ms. Allshouse agreed.

Ms. Palmer said that at some point, she would like to discuss some of the capital initiatives that do not make it into the CIP, such as solid waste. She said they have done many important things, such as the new transfer station, that were never in the CIP but sat somewhere outside it. She said she was not sure how to handle this, but at some point, she'd like to talk about it.

Ms. Allshouse said another thing there was a lot of conversation about was to what the process is around this. She said staff recommended for the Board's consideration is that they move these things into the annual budget processes so that it is not done outside of it or differently. She said if there is something urgent that comes up between annual budgets, as not everything works perfectly timewise, amendments or appropriations are brought back to the Board, as well as executive summaries that discuss an issue. She said this is not meant to be rigid, but instead provides a process.

Ms. Allshouse said prior to a request coming to the Board, because this is a Strategic Priorities Reserve, they would talk about the Strategic Plan connection. She said leveraging opportunities were important, perhaps not for every single one, but they would talk about how an item leverages other funding, if a request does.

Ms. Allshouse said there were other considerations such as timing, safety, urgency, connection to other County plans, and other factors that were important. She said these were some of the criteria they used to use in the CIP Technical Review Committee.

Ms. Mallek said the process was good and needed because it would otherwise be a free-for-all, which makes citizens uncomfortable. She said it needs to be laid out with a deliberate approach, with "yeses" and "nos." She acknowledged there would be debates about which items to handle first.

Ms. McKeel said she thought what was presented looked fine. She asked if Ms. Allshouse was simply looking for consensus around the process.

Ms. Allshouse replied yes.

Ms. McKeel asked if everything would come back to the Board during the budget season.

Ms. Allshouse replied yes.

Ms. Palmer said the process looked good. She reiterated that she would like to figure out how to deal with solid waste issues because they were not in the CIP, nor had they ever been. She said there have been efforts to work them in and that through their discussion with the School Board, the convenience center recycling/compost drop-off priority came sixth. She said the top four priorities were taken, and so it didn't make the cut. She said there have been discussions, however, that a minimum of two additional convenience centers are important. She reiterated that the transfer station was never in the CIP, but that it was needed.

Ms. Palmer said she would like to see some guidance from staff as to how to work through this, as it is an RSWA-run project, and so it has always been somewhere else outside the CIP.

Ms. Price said she would like some additional guidance from Ms. Allshouse's staff on the process from beginning to end of a budget item.

Ms. McKeel asked if Ms. Price meant tracking a budget item through.

Ms. Price replied yes. She said she would like to see the process from concept to conclusion.

Ms. Mallek said the solid waste convenience center was a great idea.

Ms. Price echoed this.

Ms. Allshouse said she would like to move from thinking about the year-end funding process to a discussion about the actual FY 21 budget development. She said Mr. Jeff Richardson (County Executive) would lead the discussion.

Mr. Richardson said he would talk about some of the framework going into the budget process for FY 21. He said Ms. Allshouse has brought the Board up to speed on what staff knows currently about the revenues. He said they talked about schools, state, and local revenues, and that the school's budget picture has improved greatly since staff was before the Board in the fall and up through November. He said because of the Governor's budget, the State, and a positive local revenue picture, the schools were in much better shape than they were in late fall.

Mr. Richardson reminded the Board that the Schools Superintendent was scheduled to present his budget to his board on January 23. He said the schools were about 30 days ahead of General Government in the budgeting process, and so the next 30 days for the team was an extremely intense period so that staff can also meet their obligation and deadline and be back before the Board on February 19 to present the balanced budget.

Mr. Richardson indicated on the slide to "Strategic Initiative Alignment." He said that as he goes forward, with the help of the team, to work on the budget (what it includes, and what it doesn't), a guidepost for staff is the Board's Strategic Plan, with its nine Strategic Initiatives, and where they have discretionary resources. He said he, with staff's help, will look to try to align as much as this with the Board's Strategic Plan and Initiatives in mind. He said the department heads, senior staff, and budget staff all know this.

Mr. Richardson said they will have an opportunity for the Board's questions after he goes through his presentation, and that he also wanted to capture any concerns the Board members may have.

Mr. Richardson said he would start with mandated increases. He recalled earlier in the conversation that Ms. Allshouse identified approximately an additional \$2.3 million of local government money due to improved revenue forecasting. He said this was good news.

Mr. Richardson said what was not good news was that the VRS (an example of a mandated increase) would take the \$2.3 million and back \$1 million off of it, as there is a \$1 million surprise from the retirement system which is a mandated obligation that the County will have to come up with next year. He said the good news was that there is a better-than-expected budget revenue picture, but the bad news was taking \$1 million away from it. He said they could pay it next year, but that it shrinks their amount of discretionary money to go into the budget.

Mr. Richardson said another thing he flagged was the unfunded mandate from the State of Virginia on early voting. He said the Board has helped guide staff through this, to that point, and that staff was on the verge of putting a plan in front of the Board to demonstrate that they will be able to meet the obligations in 2020 with early voting and the changes in law. He said this would come with both capital costs and some ongoing costs. He said he would build this into the budget and that right out of the gate, it was in the framework.

Mr. Richardson said he would take a moment to ask the Board for some guidance. He said the Board who was there prior to January was in alignment with Schools. He said they were doing a multi-year process to get to \$15/hour minimum wage and that based on very conservative revenue figures in the fall, they suggested that they start at \$12.75 on July 1. He said he wanted to suggest to this Board that if they could do slightly more than this, effective July 1, he would like to do that.

Mr. Richardson said the Schools' budget picture is better and has increased, so the Schools Superintendent has communicated with the team that they would like to do more than \$12.75, effective July 1. He said that based on the nature of school personnel's jobs, they have many people who are below \$13.50/hour, and so they are trying to do something more than \$12.75. He said local government wants to go in lockstep with Schools. He said he did not notice any negative reactions from the Board members, and so if he could go higher than \$12.75, he wanted to make this a very high priority for the County Executive's budget that will be recommended to the Board.

Ms. Palmer asked if Mr. Richardson had any idea how much additional money this would cost.

Mr. Richardson said that staff was likely working on the figure as they spoke. He said currently, they were at \$12.75 and that unless any major surprises came up, they knew they could afford this in the budget. He said if they were to stretch to \$13.50 on July 1, this would be about another \$150,000 for local government. He said it was much more for Schools because they have so many more people. He said the staff have worked very well together (both with Schools and local government) and that he believes they can go to \$13.50. He said staff are running modeling above that number, but that he

didn't have the projected costs for that.

Ms. Palmer said this answered her question and sounded reasonable.

Ms. McKeel said she felt very comfortable with this. She asked if it would still be a recommendation coming back to the Board later.

Mr. Richardson replied yes. He stressed that there is a high level of synchronization between Schools and Local Government on what the prevailing new minimum wage is, recognizing that Schools are 30 days ahead of them in their budget process. He said the Schools are also trying to reach back to local government to coordinate together to the degree that they can. He said Human Resources was in the middle of this.

Ms. Price said she was definitely in favor of comparability between the two entities.

Ms. McKeel said she was thrilled to hear about the Schools and General Government working together and the connection. She said she wanted to make sure that people understand about how far ahead the Schools' are in the budget. She noted this was intentional because their funding requests must roll into local government's funding request.

Mr. Richardson agreed, noting that it has been this way for a very long time, and there are reasons for that. He said this was a normal process.

Ms. Mallek said if the funding works, it will help to retain employees as other employers in the area get ahead on wages. She said this was a very important thing that they try to do.

Mr. Richardson thanked the Board for its guidance, adding that it was extremely helpful between present time and time staff is back before the Board in February.

Mr. Richardson said he had a related, parallel-track issue to discuss, which was market salary increases. He said he has underlined no less than 1.5% on the local government side in 2019. He said in the current budget year, they did 2.2% across the board for local government employees. He said this year, the recommendation back in the fall from Human Resources was based on the World at Work numbers were at about 2.7%.

Mr. Richardson said he has put the minimum placeholder in for employee raises at 1.5%. He acknowledged this was an extremely conservative number, but that it was because there are 30 days of work ahead of staff in trying to pull it all together. He said that once he would go through the rest of the list, the Board would see why it was such a conservative number. He said if there were any way they could justify and afford to go higher than this, the Board would see this in the manager's recommended budget.

Ms. McKeel remarked that this was positive, reminding that the 2020 Cost of Living Adjustment (COLA) increase that year was 2.7% for people who are retired.

Ms. Mallek said this was catching up from several years of being zero.

Ms. McKeel said this was something to keep in mind when comparing to those numbers.

Mr. Richardson said the Human Resources Director, Lorna Gerome, was doing a great job of keeping balance and reminding County staff what things mean. He said if she were present, she would say that a 1.5% increase (if that is all the County could afford) would mean losing ground. He said this was an understandable statement.

Ms. McKeel said they have been where they have lost a lot of ground and that her opinion was that they were still playing catch-up.

Ms. Mallek asked if the cost per percent was about \$1.5 million for each in local government for each percent increase.

Mr. Bowman replied that for local government, every 1% of salary increase costs around \$600,000. He added that this includes the associated benefits with FICA and VRS.

Ms. Palmer said that everything Mr. Richardson said sounded very reasonable. She said they were trying to get up to the \$15/hour at the same time they were doing everything else, which was going to cause some compression in salaries. She said she was curious if they were to go more than the 1.5% increase, she was wondering how they would need to deal with compression in the future.

Mr. Richardson said he believed there was an answer to this question and that they should write that question down and revisit it when reviewing the managers recommended budget.

Ms. McKeel said her understanding was that as staff is looking at this, they are factoring in compression and looking at those factors.

Mr. Richardson said this was correct as it relates to minimum wage. He said it was important for the Board to hear that the effort to go to \$15/hour as a minimum would involve looking at a compression

remedy up to \$16.25/hour. He said this was Salary Grade 12, about a third of the way through the County's pay plan. He said this also mirrors UVA and what they have done with their pay scale adjustments.

Mr. Richardson said they would not cascade it through the entire pay plan, as was originally discussed in the fall, for cost containment reasons as well as desiring a logical cutoff for the positions most closely affected as they move from the entry level of the pay range. He said there was unanimity from staff as they were working through this.

Ms. Mallek said this was a major improvement over 10 years earlier, when the idea failed because there was a demand to take the increases all the way up.

Ms. Price said it made a lot of sense not to cascade the increases through the entire pay scale because the objective in raising the minimum wage was directed more towards the lower-income employees.

Mr. Richardson said this was exactly the logic of the staff who was working on this.

Mr. Richardson said Mr. Bowman and his colleagues would be spending time over the next 30 days determining the County's share of costs that are associated with supporting existing services and agency partnerships. He said Mr. Bowman and his team were in close contact with agency partners to determine their current needs and how this may change going into the next budget year.

Mr. Richardson said Ms. Allshouse had already talked about the CIP Advisory Committee and the work that was done with the Board, School Board, and the committee. He said they were looking at taking on an additional \$55 million of debt over the next five years, both for Schools and Local Government. He said they also knew that strong, natural growth will not be enough to pay the County's debt obligation for that much additional money. He said to put it into perspective, they were at about \$155 million in debt and would be going to about \$210 million, respectfully. He said there was a list of projects that Ms. Palmer had referenced about how far they were able to get down the page. He said she had recalled correctly that they were able to hit four of the top projects, and that there were things they were not able to reach to because of the \$55 million gap.

Mr. Richardson said they were continuing to monitor local real estate and how it is affecting how they go into the budget in terms of natural growth. He said they will continue to monitor what this says, and that this was a potential tax rate increase of 1 cent in next year's budget, as well as a spacing of tax rate increases and what those may look like over the five-year period. He reminded the Board that the CIP Advisory Committee recommended a leveling effect that, if it is as much as 5 cents, they would like that there is no spike or commiserate drop in what is expected with the tax rate over that period, where they are trying to afford the additional debt.

Mr. Richardson said the Board would be hearing about Fire Rescue service challenges, noting that it tied back to agency partners and service levels in the community.

Mr. Richardson recalled that the Board has consistently asked to increase reserves. He said they could see in the early stages of the budget that money is being earmarked, with the Board's support, to increase reserves. He said this gives the County opportunities to advance strategic priorities in the future, and that this would be escalating it. He said there are also emerging opportunities that at times come up suddenly in the community that the Board will want to consider, and that in order to do this, they will need to have reserve capacity to make their decisions.

Mr. Richardson said his final note was to consider department, agency, and operational needs related to service demand, population growth, increased density, workload volume, workload growth, and pinch points. He said this was the focus on maintaining and sustaining service delivery, and that was where the departments communicate regularly on where the stress and pinch points are in their departments. He said Mr. Henry and Mr. Walker were in the middle of doing this work with many departments over the next 30 days.

Mr. Richardson encouraged the Board to ask questions or bring up points that were not covered. He reminded the Board that staff would be back before them formally on February 19.

Ms. Price said she recognized at the outset that for the question she would ask, the calculation may be impossible to provide. She asked, if the County was able to attain equal taxing authority, could look at how this might permit them to reduce the reliance upon the property tax burden that is being imposed upon the residents? She said there are many needs that need to be funded, but that raising property tax rates is a very difficult thing to do.

Ms. McKeel said that cities certainly have other options that the County does not have.

Ms. Price agreed.

Ms. McKeel said this included taxes on lodging and cigarettes. She said there are multiple other options that would include tourists and not just County residents.

Ms. Allshouse replied that she believed staff could calculate this. She said she did not know how quickly the change for equal taxing authority would affect the County. She said if they get it that year

from the General Assembly, it could be a while to get everything in place and may not impact the FY 21 budget. She said they could still work on the calculations.

Ms. Price recognized that the next 30 days may not be the time to do that, with the other work that staff had to do. She said she thought it was very important for the County to be able to look for sources of funding other than simply raising property taxes.

Ms. Palmer said a couple years earlier, there had been an estimate for the cigarette tax (about \$250,000 a year). She said she wondered how much of this information already existed but simply needed an update.

Ms. Allshouse said there had been a committee working on this in the past.

Ms. Mallek said it was important to understand that even if something takes effect on July 1, it would take about 6-9 months to get the County's own processes in order, consider and figure it out before any money started coming in.

Ms. Price agreed this was a good point, adding that it may be a full year, at minimum, where the County could see a practical impact.

Ms. McKeel said they would be able to tell from the discussions in the General Assembly where this realistically might be going. She suggested that when looking at revenue sources, the Fire Department was spending a lot of money putting out brush fires that are caused by cigarettes. She said when talking about a cigarette tax, they need to look at it beyond a tax on what people are smoking and think about how they flick cigarettes out their windows and the entire community then must pay for the consequences. She said the fire responses include a good number of brush fires along the highway, and many of them are from cigarette butts. She added there was one incident on Pantops last year, at a gas station.

Ms. McKeel said the Board of Supervisors were good about discussing department and agency operational needs and efficiencies, but that the department they never look at is their own. She said she was not sure how, but that she would love to start the process of looking at their own office, as there may be things to do to help the Clerks, create efficiencies, or use new technologies. She said this was not the time to do this, but that she was interested in looking at the Board of Supervisors office as well as other departments.

Ms. Palmer said in her experience, this has been done on a smaller scale and privately. She asked Ms. McKeel if she was suggesting a public discussion.

Ms. McKeel stated she would simply like to look at their own department and efficiencies. She said there are things they could be more efficient about, perhaps with minutes or managing boards and commissions. She said she would want it to be a public discussion. She said she has never received a report about this and that it was fair to look at this if the rest of the departments were doing this.

Ms. Price asked if Ms. Allshouse and Mr. Richardson desired any consensus or action from the Board.

Mr. Richardson said he would wrap up the presentation with next steps. He reiterated that they would be back before the Board on February 19, which is a normal Board meeting day with a special start time at 12:00 p.m. He said the regular Board meeting would start that day at 1:00 p.m.

Mr. Richardson said after the rollout of the County Executive's Recommended Budget, there are work sessions scheduled for February 25, March 3, a public hearing on March 4, and a work session scheduled on March 5. He called attention to the first work session on February 25, explaining that it was an overview and would also tie the School Division into the capital. He said Ms. Palmer had a question about capital (specific to solid waste and recycling), and that if the Board looks at the capital budget and recommended budget and sees things they want staff to stretch to include, he would flag the February 25 meeting as an opportunity to that, also reminding the Board that they will have the Strategic Initiative Capital Reserve.

Mr. Richardson said the Board didn't have a timeline on giving staff guidance, but that they could have discussions throughout the budget process. He said the February 25 meeting was one where staff expected to talk with the Board and receive guidance on capital issues.

Ms. McKeel said she had a budget work session on her calendar on February 25 with two separate starting times. She said she wanted to make sure they were all on the same page, noting that she had both a 3:00 and 5:00 appointment.

Mr. Richardson said the Clerk's office worked with the Board and staff to suggest that this is a 5:00 p.m. start time, running to 8:00 p.m. He explained this was because there is a conflicting board meeting on the Authority that afternoon, and several of the attendees would have a difficult time arriving for the normal start time.

Ms. Mallek asked if the March 4 public hearing would be done on the budget as part of the regular meeting, on the first Wednesday. She said this was fine and that she was glad there were two weeks in between the original offering of the budget and the public hearing because it was absurd to ask

people to be ready for comment in five days, and over a weekend.

Ms. Allshouse replied that staff did provide more time, based on the Board's guidance, when they put the calendar together.

Ms. Mallek said she thought this would work fine.

Ms. McKeel asked if there would then be the usual March 11 meeting hold, if needed.

Ms. Allshouse replied yes.

Agenda Item No. 10. Fill and Waste.

The Executive Summary forwarded to the Board states that, on September 18, 2019 the Board of Supervisors conducted a midyear review of the Community Development work program. The Board of Supervisors directed staff to prioritize the review of fill and waste regulations. On November 6, 2019 the Board of Supervisors adopted a resolution of intent to consider amending the Zoning Ordinance regulations for fill and waste areas. The Board of Supervisors directed staff to begin work immediately and to hold a work session in January 2020.

The County Code allows fill and waste in all zoning districts. County Code § 18-5.1.28 includes regulations of the activity. However, these regulations do not address impacts such as truck traffic on rural roads, hours of operation, placement of fill on critical slopes or the loss of agricultural resources. Staff has reviewed the history of fill and waste regulations in Albemarle County, the State Code and the regulations of other high growth counties. Staff is proposing an approach that would establish regulations for the placement of fill covering a wide variety of issues such as slope, fill height, setbacks, lot size, activity area, hours, access standards and prohibiting placement on hydric soils. Staff is proposing to limit the type of fill material permitted by right in agricultural districts. Additionally, staff is proposing an amendment to facilitate the placement of fill in the development areas.

A preliminary estimate of the resource impact was undertaken given the recommended approach listed below. Accordingly, staff estimates workload impacts to include a 0.05 FTE for a Civil Engineer II to perform plans review, a 0.05 FTE for a Senior Engineering Inspector, and a 0.10 FTE for a Zoning Compliance Officer for compliance/enforcement activity. This specific estimated workload impact may be absorbed by current staffing. Once an approach is approved, staff will analyze the resulting budgetary impacts of new regulations and propose alternatives to off-set those impacts to include the possibility of fee increases.

Staff recommends that the Board endorse the ordinance approach outlined in Attachment A or, otherwise, provide additional direction to staff regarding desired outcomes for further refinement.

Mr. Bill Fritz, Chief of Special Projects from the Community Development Department, presented. He said the Board of Supervisors had directed staff to work on the project back in September, and that they would now be holding the work session to try to receive feedback on potential changes that staff identified in the Fill and Waste regulations.

Mr. Fritz said he would refer to "Fill and Waste" as "Fill" during the presentation. He said this involves obtaining material on one property and disposing of it on another property. He said moving material around on the same property is not "Fill." He said Fill material may only be inert material, including soil, rock, concrete, bricks, and asphalt.

Mr. Fritz said metals are not considered inert materials, but they may be accepted, however, if embedded in concrete, for example. He said this allows for things like reinforced concrete to be disposed of as inert materials.

Mr. Fritz said Fill is permitted in all zoning districts. He said if the area disturbed exceeds 10,000 square feet, or if the Fill is coming from a site in Albemarle County that is disturbing more than 10,000 square feet, then the regulations of the Water Protection Ordinance (WPO) come into play. He said if the area disturbed is less than 10,000 square feet, or if the material comes from outside the County, the WPO regulations do not come into play.

Mr. Fritz said regardless of the area of disturbance, if the Fill is for agriculture, it is exempt from regulation.

Mr. Fritz said he would provide an outline of what staff has proposed. He said he would get into the details as he builds through the presentation, and that the Board could ask questions at any point.

Ms. Palmer asked if the material was from UVA, for instance, or from the City, if it could be much larger than 10,000 square feet.

Mr. Fritz replied that if the material is coming from the City (for example), and it is disturbing some area, if that material that is coming to Albemarle County is less than 10,000 square feet, then it is not subject to the WPO. He said if it is over 10,000 square feet, it is subject to the Ordinance. He said if the fill activity in Albemarle County is over 10,000 square feet, it is subject to the regulation.

Mr. Fritz said the only way that a disturbance of under 10,000 square feet is subject to the WPO regulation (which is distinct from supplemental regulations) is if the material is coming from a regulated site in Albemarle County. He said that Hollymead Town Center, for example, is developing, has a WPO permit, and is exporting 5,000 square feet of material to a property. Even though that area is less than 10,000 square feet, because it is part of a larger permitted project through which that 5,000 square feet is regulated by the WPO.

Ms. Palmer said she was still somewhat confused and said she was referring to where it was coming from and if this was larger than 10,000 square feet of material. She said that UVA and the City, for example, would be outside of the County.

Mr. Fritz replied this was correct. He said if it is over 10,000 square feet and is in the City or an outside county, it is subject to whatever the regulations are of that jurisdiction.

Ms. Palmer asked if they knew what the regulations were in those districts.

Mr. Fritz replied that he did not know.

Ms. Price said they wanted to differentiate between the activity of picking up what is called the "Fill" versus where they drop it. She said the County's regulation applies within Albemarle County for 10,000 square feet.

Mr. Fritz said all he was talking about with the Fill and Waste regulations is the disposal of the material that is generated from another site. He said if material is being moved around on the same site, this is the same site and is not considered to be Fill and Waste.

Ms. Price asked if, for these purposes, it didn't matter in certain respects how large the origin site is that is disturbed, but that what they were discussing was inside Albemarle County.

Mr. Fritz replied that they focus solely on the receiving end of the equation.

Ms. Palmer expressed she had thought he had said that it was inside Albemarle County.

Mr. Fritz replied that if the exporting site is within Albemarle County and it is a permitted site within Albemarle County, then the receiving site is also permitted, whatever the square footage is. He said staff discounted all of this and looked exclusively at how the properties are receiving the Fill and Waste material. He said staff did not look at the WPO regulations, and only looked at the Fill and Waste Supplemental Regulations because the WPO regulations are being looked at separately, and they would simply make the two mesh with one another, however it ultimately gets done.

Ms. Mallek asked if Mr. Fritz said that with a regulated site in Albemarle County (such as Hollymead Town Center), the receiving site is also then considered to be permitted, or that the receiving site must be permitted before it can receive anything.

Mr. Fritz replied that the answer to both questions was "yes." He said it must be permitted, and that it is permitted.

Ms. Mallek asked if the receiving site was not de facto permitted but had to go through its own process if they are taking things from Albemarle County that come from a regulated site.

Mr. Fritz said this was correct. He said as part as looking at a grading project, if staff sees that surplus material is being generated, they ask where it will go, and the developer needs to say where it is going. He said if it is going into the City, for example, the City must deal with this.

Ms. Mallek asked if there was some follow-up about the fact that it really is a permitted place.

Mr. Fritz replied yes.

Mr. Fritz said staff looked at Fill and Waste as a land use issue. He said they also realized that Fill activities are necessary and are part of a growing and developing community. He said the proposed regulations consider the need for those Fill activities, which staff attempts to accommodate.

Mr. Fritz said he would first go over the general concepts, and then get into the details. He said the idea was to create two types of Fill: clean earth fill (earth, soil, and rock, with limitations on the amount of rock and size of the rocks), and inert fill (which is what it currently was).

Mr. Fritz said clean earth fill can go anywhere, basically taking the place of what they currently had, which was inert fill. He said inert fill would be permitted by right in all zoning districts except for the Rural Areas. He said in Rural Areas, inert fill would only be permitted by a Special Use Permit. He said to do this, they must redefine agriculture so that fill is not considered an agricultural activity (which is how the exemption is achieved currently).

Mr. Fritz reminded that in the Rural Areas, clean earth fill would still be a by-right use, meaning that it could be used to support agriculture, subject to regulations.

Mr. Fritz clarified that this does not deal with fertilizers or biosolids, and that those would continue to be regulated just as they currently are.

Mr. Fritz said the proposal also makes provisions to allow for fill to be located in the Development Area without excessive procedural requirements.

Mr. Fritz said that some trees may be cut in the Development Area, and that he would explain what this means as he builds on the presentation.

Mr. Fritz said by limiting the Rural Areas to clean earth, it limits the total activity that can occur in the Rural Area district. He said this reduces the total amount of traffic, and that this reduction in traffic may help to improve safety and the quality of life for rural residents. He said that by having material disposed of in the Development Area, it reduces total truck miles, which may help to reduce the county's environmental impact. He said by not using the Rural Areas for the disposal of the inert material, they also may be preserving land for future agricultural or forestal production.

Mr. Fritz said the Rural Areas are used for the disposal of materials because of the ease of getting those approvals. He said in the Rural Areas, the most that will be needed is an erosion and sediment control plan in order to comply with the WPO. He said there are some performance regulations within the Fill and Waste regulations, but those are largely technical and easy to comply with.

Mr. Fritz said that in the Development Area, getting approval for a Fill operation is complicated by the need to obtain approval of a site plan, a subdivision, or a building permit. He said this is because tree removal is not permitted on non-RA-zoned property unless a site plan, subdivision, or building permit has been approved. He said what this effectively means is that vacant property zoned Commercial or Industrial cannot accept fill material unless the necessary approvals have been received.

Mr. Fritz said there may be a sending property on a project that is ready to go, and it doesn't have time to wait for someone to get those approvals to dispose of the material now. He said the Rural Areas can receive it, so that is where it currently goes. He said this ordinance would allow tree cutting, with limits, on non-RA parcels to allow them to accept this Fill material.

Mr. Fritz said the County has performance standards, and in order to minimize the impacts caused by Fill operations, staff is recommending several new performance standards. He said these include things such as setbacks and limits on the amount of Fill. He said preserved slopes in the Development Areas are already protected, but that critical slopes in the Rural Areas are not. He said the proposed performance standard would protect critical slopes and hydric soils, which are not protected in either the Rural or the Development Areas now.

Mr. Fritz said there are potential negative impacts that staff has already identified. He said if the Rural Areas can only accept clean earth fill, there will be increased pressure to place inert fill in the Development Areas. He said the proposed regulations would allow for some tree cutting to make filling easier in the Development Areas, but that this may result, however, in the partial development of property that then sits idle until full development occurs.

Mr. Fritz said additional regulations often result in additional cost, and there would be a cost associated with the processing of applications for Special Use Permits or Special Exceptions.

Mr. Fritz said he would compare the current and proposed regulations. He said currently, inert fill is permitted in all zoning districts. He said what is proposed is breaking this out into clean earth being permitted in all zoning districts; and inert waste permitted by right in all districts except the Rural Areas and permitted by Special Use Permit in the Rural Areas.

Mr. Fritz said currently, there are inert materials, which are non-reactive materials such as concrete, rubble, and bricks. He said "clean earth" would be defined as soil, earth, and rock, with limits on the percentage and size of rocks. He said they would maintain the existing definition of "inert waste."

Mr. Fritz said currently, agricultural activities are exempt, as well as Fill and Waste activities of less than 10,000 square feet (rounded off to not take into account if it was coming from another site). He said the proposal was to remove the agricultural exemption and to lower the threshold to 2,500 square feet for a permitted or regulated site. He said this will match what the Board has been discussing with the WPO regulations, and if this were to change with the Board's discussions of the WPO regulations, these numbers would change.

Ms. Palmer asked if they were only talking about the inert materials in the Rural Areas, as they would be making it by right in the Development Areas.

Mr. Fritz replied that it would still be by right. He said if they had fill material (clean earth or inert waste) of over 2,500 square feet, whether it is in the Rural Area or Development Area, they would need to get a WPO permit and that this would be addressing the soil and erosion control issues. He added that it would trigger the supplemental regulations.

Ms. Palmer asked if they were bringing the material into the Development Area, if the 2,500 square feet would be applicable.

Mr. Fritz replied yes. He said it wouldn't matter where the material was going – if one was filling

more than 2,500 square feet, one would need to get a permit.

Mr. Fritz presented the current operational regulations from Section 5 of the ordinance, noting that these were largely technical. He said they include things such as preventing ponding, staying out of stream buffers, and reclamation of flood plains. He noted there were very few setback requirements. He said there is a limit on hours of operation, but that it only applies to industrial-type power equipment. He said this term is not defined anywhere.

Mr. Fritz said that Attachment B, page 2, provided a full list of all the current and proposed regulations.

Mr. Fritz presented the proposed regulations, explaining that the operational regulations would set limits on the area of activity. He said this means that it includes not just the area where the filling is occurring, but any other areas associated with it, such as vehicle or equipment storage and maintenance areas. He said there were also limits on where tree cutting can occur.

Mr. Fritz said all these regulations would be supplemental regulations, meaning that the Board would have the ability to modify any of the regulations if requested by an applicant, and then in granting any modification, the Board would be able to include appropriate conditions.

Mr. Fritz said there would be setbacks, which would be 150 feet from the Entrance Corridor, and 75 feet from all other public streets, measured from the right of way. He said in terms of setbacks from an adjacent property, if the adjacent property is residential or rural, the setback is 75 feet; and 150 feet for non-residential.

Mr. Fritz said the lot size was a minimum of 5 acres, but that a provision would also be included that if one owned multiple parcels of the same zoning, those could effectively be combined for the purpose of getting up to the 5 acres minimum. He said if there were 2 acres of commercial and 3 acres of residential, however, staff would not consider that to be a single parcel for purposes of combining the 5 acres because of the setbacks.

Mr. Fritz reiterated that these were supplemental regulations, and that an applicant could come before the Board to ask for relief.

Ms. McKeel asked if Mr. Fritz would review this again.

Mr. Fritz said the minimum lot size (the area under control) needs to be 5 acres. He said if there is a commercial property that is 5 acres, this is good to go. He said if one owns two adjacent properties (one 2 acres, one 3 acres, both zoned Commercial), staff could consider this to be a 5-acre area for purposes of complying with the provision. He said, however, that if 2 acres were Commercial and 3 acres were Residential, staff would not consider this to be 5 acres for purposes of complying.

Ms. Palmer said she had sent Mr. Fritz some questions about the subject page. She said the purpose of the project was to encourage fill in the Development Area. She asked if there were two owners that were Commercial and perhaps working together on a development, why the County would not consider multiple owners as commercial property.

Mr. Fritz replied that they could. He acknowledged that the provisions before the Board were a collection of what he identified as best practices from multiple jurisdictions across Virginia. He said he didn't see anything that included Ms. Palmer's point, but that it was a good idea and that an ordinance could easily be written that says, "under a unified plan" or "with agreement," provided that it was not a mix of residential and non-residential zoning districts. He said this would be consistent with the concept of trying to protect the adjacent properties that are not immediately subject to development.

Ms. Palmer said she was concerned about the 150-foot setback from the Entrance Corridor, from the right of way. She said there could be a development that is occurring closer than that where the Fill is actually needed. She asked if she was incorrect about this.

Mr. Fritz replied that if there is a project closer than 150 feet that needs Fill and has an approved plan, they would be permitted to do this because this is not considered to be Fill, but instead part of the development proposal that is there. He said he should have prefaced that if there is an approved site plan, subdivision, or building permit, and one is bringing materials in for that previously-approved development, that is not considered Fill but is part of the development plan that is covered by the conditions of the approval and the WPO permit.

Ms. Palmer said that one would have to be far along in their development process in order to utilize this.

Mr. Fritz replied this was correct. He said if they were not quite so far along, but they could come in before the Board with a Special Exception request to say that they would like to fill closer than 150 feet, the Board could take whatever action they thought was appropriate.

Ms. Mallek asked if she understood correctly that what was presented on the screen was a description of where the dirt would go, and that it could not be put right at the sidewalk, but back a distance.

Mr. Fritz replied this was correct. He stressed that this defines the area, and that the last item on the slide said, "Allows tree cutting on non-RA property." He said this means that no trees could be cut within 150 feet, if it was an Entrance Corridor property (except for the access road to get back to the Fill). He said those trees would be maintained around the property, 75 feet from adjacent residential and 50 feet from an adjacent commercial or industrial property. He said it doesn't allow the property to be clear-cut of trees, which was why he used the phrase, "some trees." He said it would still maintain some level of a buffer between the streets and adjoining properties for the fill activity.

Mr. Fritz stressed that when the ultimate site plan, subdivision, or building permit comes in, there is nothing that prevents those trees from being removed as part of the development, but that this would be reviewed at the time of the site plan or subdivision. He said the concept staff was proposing was an incremental approval of activity on the property without clear-cutting the property. He said the next slides would show the limits on the complete re-terraforming of the property.

Mr. Fritz said there would be access requirements added when private access easements are used to verify that they have a right of usage, and that the access way has an adequate design to accommodate the proposed activity. He said there is a flat-out limit on the hours of operation, removing the reference to industrial-type equipment. He said the regulations would establish a maximum fill height of 8 feet over the existing native terrain or grade.

Ms. Mallek asked if this could start at the property line, or if it would still have to be set back.

Mr. Fritz replied that it would still have to be set back 150 feet from an Entrance Corridor, or 75 feet from any other street; and 75 feet from a residential property, or 50 feet from a non-residential property.

Mr. Fritz continued that the area of activity cannot be any greater than those boundaries that he described, and that the setbacks must be met.

Ms. Mallek said she was having a difficult time imagining a lot in an urban neighborhood where this could possibly be appropriate. She said there may be a ravine because water ran the dirt there and eroded it all away. She asked if this was a reasonable place where someone would be allowed to bring in truckloads of dirt and fill that ravine so that sometime in the future, they could put a house there.

Mr. Fritz said to assume the ravine is there, and that if it is in a stream buffer, the fill cannot go there. He said if they are hydric soils, the fill cannot go there. He said if the property is less than 5 acres, the fill cannot go there, and the applicant would have to come before the Board for a Special Exception. He said if they cannot meet the setback of 75 feet from the adjoining residential properties, the fill cannot go there. He said an infill property in a development where perhaps there was a leftover piece of land would not qualify unless going before the Board for a Special Exception to be able to develop that property.

Ms. Mallek said she was thinking of a property in the Crozet growth area which received dirt during the construction of the Crozet Library, which was supposed to be temporary. She said this was back in 2012, and that the fill was still there, receiving another 6-10 dump trucks full per month. She said this was within 30 feet of the road and was on an Entrance Corridor (Route 240). She asked if this would not be allowed to continue under the new rules.

Mr. Fritz replied that it would not be allowed to continue by right.

Ms. Price asked if there a way to identify or constrain a certain fill activity so that an individual does not do repeated under-2,500-square-feet, which ultimately ends up being a substantially larger area of fill and basically subvert the whole intention of protecting water quality.

Mr. Fritz replied that staff was working on this as part of the WPO regulations. He said this could be done. He said the way they would write the regulations about the maximum fill area, for example, is from the natural terrain and that they would know what the natural terrain was prior to the initial filling. He said therefore, one would not be able to come in and do 8 feet, and then another 8 feet, etc.

Ms. Palmer asked how many properties might be receiving properties in the Development Areas.

Mr. Fritz replied no. He said there were many vacant or underdeveloped properties in the Development Area that may be able to receive fill. He said he didn't have time to do that research before coming to the Board.

Ms. McKeel said she had concerns. She said putting aside the development area in Crozet (which is very different) and looking at the development area in the urban ring that has not had the infrastructure and attention, and has many different residential areas across the street from the Rural Area, her concern was about noise, traffic, and all of the impacts on the Development Area, at the expense of the Development Area, to make sure the Rural Area is protected. She said she understood about pads and needing to prepare, but that she was very concerned about her neighborhoods in the urban ring.

Ms. McKeel said she had a phone call on New Year's Day about a developer who started working at 7:00 a.m. that day with moving equipment. She said she understood that this was about enforcement. She asked if her Urban Ring older neighborhoods that are small and close in proximity to each other

receive impacts from trucks. She asked about this creating a picture of the Development Area being noisy and the Rural Area being quiet.

Mr. Fritz replied that this would only deal with larger properties, as there is a minimum acreage of 5 acres, by right. He said there is a maximum disturbed area of 2 acres. He said there will be limits to the mounding of the soil to a certain amount of feet. He also noted there would be operational hours.

Mr. Fritz said staff did cite as a potential negative that there could be activity that occurs, it is stabilized and maintained with a grassed area, and then perhaps it is a number of years until the full development of that property occurred. He said one thing that staff talked about was that this fill probably would have been coming in that area, in any event, to facilitate development. He said he didn't think people would likely accept property that then prevents them from ultimately being able to develop the property.

Mr. Fritz said they will be accepting fill with the concept of facilitating future development, so the fill would have been coming in regardless, only now the work had been broken into two pieces. He said perhaps they will be working for three months to bring in fill material, then they stop and go away for a number of years. He said they would then do the permitted activity for the ultimate development. He reiterated that they would have had to do the three months of fill activity anyway, then stopped, and proceeded with 12 months of construction, for example. He said this would have been 15 months if they would have had to bring the fill in.

Mr. Fritz said there is somewhat of a pro, but also cons, and that staff recognized this. He said he didn't have an answer for Ms. McKeel, noting that it was an issue that the Board would have to discuss.

Ms. McKeel expressed that there were only 20 minutes to discuss, as this was an action item.

Mr. Fritz clarified that this was a work session.

Ms. McKeel said the agenda called it out as an action item.

Mr. Fritz replied that staff is looking for guidance from the Board on what to do next.

Ms. Mallek said she thought it was an artificial distinction between the Rural Area and Growth Area that pits them against each other for no benefit at all. She said it was a matter of the damage done to quality of life for the residents everywhere, and it was not one or the other. She said as she said earlier, she was having a difficult time visualizing how any of this would work in the Growth Area.

Ms. Mallek said another concern of hers was the extended process where first, 2 acres of trees are torn down in the middle of the lot (noting this is environmental destruction), then dirt is put on it, and the developer goes away for what could be a decade. She said this creates a mess without any intention or ability to follow through on it. She said she was thinking of the New Hope Church, which was still 2 acres of red mud and footings in the middle of a forest that has never been acted on since about 2012.

Ms. Mallek asked if the County was setting itself up for more damage and trouble. She expressed there were many proposals that were wonderful, but that she didn't know how they were benefiting the County by saying it is by right in some places and not by right in others.

Ms. McKeel said Ms. Mallek made a good point, because as the county has urbanized and has a distinction between Rural and Development, suddenly even if there is discussion about dogs on leashes, they have to figure out a way to better distinguish that is not simply "Rural" and "Development." She said those boundaries are not hard lines, and that there are neighborhoods in the Rural Areas that want leash laws just as in the Development Areas. She said there are then areas that don't need them. She said she struggles with those artificial lines frequently.

Ms. Palmer said one of the reasons she was intrigued by the project was that she was thinking about the UVA Research Park, involving UVA having to demolish buildings and go into unfarmed land to Fill. She said the clean fill dirt was great, but that it was not an agricultural use to put cement and asphalt across good farming soils. She said many times, these are getting ready for pads for building houses.

Ms. Palmer said she struggles with how difficult it currently is for people to bring the fill to the Development Area. She said she looked at the project as very positive because if they did this, it would make it much easier for contractors and haulers to bring the fill to places like the Research Park or a place on Route 29 that will need to be developed, like Hollymead Town Center.

Ms. Palmer said with some of the pieces of the proposed regulations, she would want to understand how much they would be limiting it. She said they also don't want to simply push out the fill to neighboring counties. She said her biggest concern was about how much area is there and how usable this is for the people actually doing the construction.

Ms. Palmer agreed with Ms. Mallek's point that it was an artificial concern about the Development Area versus Rural Area and noise. She said she has been listening to her next-door neighbor build a mansion, and every morning at 8:00 a.m. it feels that this construction equipment is in her kitchen. She said she would have to live with this until the people have built their home. She said she receives a lot of complaints about traffic at the fill sites and that there is road destruction on the rural roads when

thousands of trucks from UVA are bringing the fill to a specific site that is permitted and legal.

Ms. Palmer said she would like very much to see the proposal fleshed out more to see how well it would work. She said her questions were about if there were enough areas in the Development Area, if they could make it easy for people to do, and if it would be economical enough to bring it to the Development Area. She said she was thrilled with the proposal and would want to hear more of the specifics of how practical it is for the people who will actually be taking the fill to those sites.

Ms. Price said she would echo some of the concerns that the other Supervisors have raised, but at the same time, she wanted to thank Mr. Fritz for the work he has done. She said living in a rural, agricultural area, she was very appreciative of the effort to prevent the inert materials from coming out there and destroying those areas. She said as people, they tend to think, "Out of sight, out of mind," which results in destroying the agricultural areas.

Ms. Price said that in living in an area surrounded by tree farms, she wished this all started as late as 7:00 a.m. in the morning, as they start quite a bit earlier than that. She said she believed that 7:00 a.m. to 9:00 p.m. was somewhat excessive in terms of that type of work and asked that staff look to start later and end earlier.

Ms. Price said she shared some of the concerns from the less rural districts in the County, but from the rural agricultural area, the efforts staff was taking to protect the soil and water was critical, and that she was very appreciative to see that.

Ms. McKeel said she didn't disagree. She said she would like to see some of the regulations tweaked, based on the Board's discussions. She thanked Ms. Price for mentioning the time, because 7:00 a.m. to 9:00 p.m. seemed excessive. She said she would like some examples, as Ms. Palmer had mentioned.

Ms. Palmer said she wanted to make sure they had enough places in the Development Area to do it, noting that the fill has to go somewhere.

Ms. McKeel said she understood this.

Ms. Palmer said she understood that they wanted to lessen the impacts, but that they also hope they will have more redevelopment on 29 North. She said they knew that UVA was taking down more buildings. She said she felt a sense of urgency, knowing that all the redevelopment is occurring and figuring out where all the fill will go. She said she didn't think the one recycling center was geared up enough to take the materials now, though she hoped this would change. She said there must be a place for the fill to go and that this was her concern.

Ms. McKeel asked what the enforcement would be for the regulations.

Mr. Fritz replied that it would be the same as it was currently.

Ms. McKeel asked if this was by complaint.

Mr. Fritz replied yes, adding that the way staff was proposing it would be that they would be reducing the threshold that required a permit to come into play, and so there would be more review up front. He said for those who didn't get a permit and are doing 5,000 square feet of fill, it would have to be complaint-driven just like the other ones they have.

Ms. Mallek emphasized how supportive she was of 99% of the proposal, but also added that she had a clarifying question about page 2 of the attachment. She said it seemed to be contradictory in the proposed regulation with what fill activities are exempted. She said it first said, "Remove exemption for placement of fill as an Ag activity by redefining that to add a phrase such as, 'Storage or disposal of non-agricultural excavation material, waste, and debris...is not generated on the farm...shall not be considered an Ag activity.'" She said she understood this.

Ms. Mallek continued reading, "Placement of clean earth fill would be permitted by right and could be used for agricultural activity or any other activity." She asked if this seemed to contradict the first sentence.

Mr. Fritz replied that it was not exempt, but that it was a different activity. He said it was saying that one cannot call clean earth fill "agricultural" and receive an exemption. He said one can do clean earth fill subject to the regulations of clean earth fill, and if they want to do this for agricultural purposes or anything else, this is fine, subject to the regulations of the clean earth fill. He said one would just not be able to use an agricultural exemption.

Ms. Mallek said she understood and that this was an explanation that was needed, as a major problem has been that people will say the fill is for farming, and so it is ignored. She said months later, it is then found that there are loads of fill there.

Mr. Fritz said if one wanted to terrace for agriculture, that is fine, but that it is not agriculture, but deemed as clean earth fill, subject to the regulations.

Ms. Mallek asked about soil processing, noting that it was something that has slid in under

“agriculture” and piling up dirt, except that the dirt comes in and out 10 loads a day. She said this was not agriculture, but something else.

Mr. Fritz replied that this situation was not addressed by the proposal.

Ms. Mallek said that this would then be on the list to work on in the future.

Mr. Fritz said staff would like to prepare the ordinance language so that they have something to actually assess and share, then share this with the public at large for review and comment. He said they would like to take the proposal to a work session with the Architectural Review Board (ARB) because it impacts some of the Entrance Corridor districts, and so the ARB may have recommendations. He said staff would take any comments they receive from the public and the ARB, do a public hearing with the Planning Commission, then do a public hearing with the Board of Supervisors. He asked if this was what the Board was looking for.

Ms. Palmer replied that this sounded reasonable. She asked if somewhere in the process, the Board would receive an estimate of how many properties are practical. She said she understood that staff could not give a number of properties, but that she wanted to be sure in a smaller area that the proposal was practical.

Ms. McKeel agreed.

Mr. Fritz said staff looked at the Resolution of Intent, which was largely focused on the Rural Areas, and decided that they could come up with the definition to simply say that it is not defined as agriculture. He said after doing this, the result was that this would create such a problem about where the inert material would now go, and they had to find some kind of relief.

Mr. Fritz said what they came up with was, since it is being generated in the Development Areas, they can leave it there, which will reduce truck travel time, wear and tear on the roads and trucks, and the emissions that go along with it. He said it potentially has the economic advantage of making sites ready for development, which is potentially consistent with the Comprehensive Plan to use the Development Areas for development.

Mr. Fritz said he would try to come up with the numbers, as staff shares the same concerns about the proposal needing to actually work.

Ms. Mallek asked what is “lateral support to adjacent properties.”

Mr. Fritz explained the alignment of property lines and a parcel being graded down, noting that lateral support would no longer be provided to the property, as it could collapse. He said it means that one has to hold up their neighbor’s property.

Ms. Mallek asked if he was anticipating people grading something down in order to be able to receive fill.

Mr. Fritz replied that because they were now proposing the setbacks that didn’t exist before, that lateral support may become a moot issue, but that it was an issue before. He said he reviewed prior discussions about this and that the issue kept coming up, which was why it was addressed in the ordinance. He said staff did not propose to take it out, but that it may become a moot issue.

Ms. Mallek said she still had heartburn about access easements only because of what happened with the brewery in Goochland, where big trucks were being run through the middle of an easement and neighborhood. She asked staff to consider if the County has the ability to have some sort of more official permission regulations rather than saying someone got permission from a neighbor.

Mr. Fritz said staff found some good language from another jurisdiction that was spot on this point about using easements to go through other properties to ensure the right of usage, adequacy of design, restoration, and maintenance. He said he shared Ms. Mallek’s concerns and was trying to put this language into the ordinance.

Ms. Mallek said she would recirculate the photos she sent out months earlier of areas in Fauquier and Loudon where there are hundred-acre piles of dirt that are ruining people’s lives. She said she was grateful to Mr. Fritz, Mr. Frank Pohl, and everyone else who was working on the project because the County was very close to being in the same situation.

Ms. McKeel asked if Mr. Fritz would go back and look at the regulations through the lens of the Board’s concerns.

Mr. Fritz replied yes, explaining that staff would craft the concerns into ordinance language, share it with the community, have a work session with the ARB, present to the Planning Commission (PC), then present to the Board again. He said the next time the Board would see this will be after the ordinance has been prepared and shared with the community, ARB, and PC.

Outline of Proposal

General Concept:

Limit the types of materials that may be placed by-right in the Rural Areas to natural materials.

Inert materials such as concrete, block etc., may still be placed by-right in zoning districts other than the Rural Areas. In the Rural Areas inert materials may be placed only by special use permit.

Establishes new performance standards for the placement of material. These new regulations address issues such as: setback, access, hours of operation, area of activity, volume of material, placement of material in sensitive locations.

Allows some tree cutting in the development areas in order to facilitate the placement of material in the development areas instead of the Rural Areas and to account for the restriction of by-right placement of inert material in the Rural Areas.

Benefits of the proposed regulations:

Limiting the by-right use of the Rural Areas to natural materials limits the total amount of fill activity in the Rural Areas. This reduces the total volume of truck traffic in the Rural Areas associated with fill activity. This reduction in traffic in the Rural Areas may help to improve safety and reduce truck miles which helps to reduce the County's environmental impact. The use of only natural materials in the Rural Areas may help to preserve land for future agricultural production.

The proposed performance standards will help protect properties adjacent to fill activities and the view from public streets. Limitations on the volume of fill will help to reduce unsightly mounds or stockpiles of materials and is consistent with the goals of the County to respect terrain. Restricting the placement of material on critical slopes or hydric soils is consistent with goals of the Comprehensive Plan.

Permitting some tree cutting in the development areas may assist in the preparation of land for future development. This may allow for the creation of pad ready sites. The lack of pad ready sites has been identified as a concern by the Economic Development Office.

Potential negative impacts of proposed regulations:

Limiting the by-right use of the Rural Areas to natural material only will increase pressure on using the Development Areas for the placement of inert material. This may result in the partial development of property that sits idle until full development of property occurs.

Additional regulations may result in increased requests for special use permits or special exceptions. This may result in increased cost to the community and the County.

Increased regulations may result in increased administrative cost. Staff is not able to fully estimate cost until the extent of the regulations is known. Based on the proposed regulations the anticipated increase in administrative cost is minimal. This assumption is based on the fact that currently most fill operations are associated with a permit application and that the cost of reviewing any increase in the number of permitted operations will be partially offset by fees. These fees do represent an increased cost to the development community.

Recess. At 3:25 p.m., the Board recessed, and reconvened at 3:37 p.m.

Agenda Item No. 11. 2020 Real Estate Reassessment Results.

The Executive Summary forwarded to the Board states that Albemarle County Code §15-700 requires all real estate in the County to be assessed annually as of January 1st each year and requires the County Assessor's Office to conduct a new reassessment. The Constitution of Virginia, Article X, Taxation and Finance, Section 2, Assessments dictates that "all assessments of real estate and tangible personal property shall be at their fair market value, to be ascertained as prescribed by law." Also, State Code §58.1-3201 requires all real estate assessments to be made at 100% of fair market value.

The Real Estate Assessor's Office has completed the annual reassessment process for 2020 and notices are scheduled to be mailed to property owners on January 24, 2020. Among the information traditionally provided by the County Assessor's Office is the average overall change in assessed value. At this point we are still completing our quality control on the County's more than 47,000 parcels.

Property owners who wish to request a review of their annual reassessment to the County Assessor must do so by February 28, 2020 (even in a leap year); this level of appeal is referred to as an Administrative Review and is allowed by County Code §15-702. Appeals may also be made to the Board of Equalization, if filed by March 30, 2020 or 30 days after the County Assessor has rendered his decision on a previously requested Administrative Review, whichever is later.

Preparation of mass appraisals that result in fair and equitable assessments requires the work of competent, well-trained personnel in the Real Estate Office in their application of assessment principles and best practices, adherence to Virginia Code and Albemarle County Code, compliance with regulations promulgated by the Virginia Department of Taxation and guidelines established by the International Association of Assessing Officers (IAAO).

The focus of the Assessor's office in 2019 was to continue the review of as many properties as possible, updating property descriptions as needed, to create more accurate assessed values. This is the second year of a five-year plan to update all property data in the county to include an updated sketch of each residential property to ensure our records reflect the proper square footage of each home. Our focus on property reviews has allowed us to find many improvements and additions to properties that had been added without permits over the past decade or missed due to other issues. The more accurate the improvement data in our records, the better our valuation model and assessment results.

County Assessor, Peter Lynch, will make a presentation to the Board of Supervisors regarding the reassessment process and outcome for 2020 as part of this agenda item consideration. The presentation will highlight statistical information about reassessment results by magisterial districts and the change in value for the "average" homeowner, as well as other useful statistical information.

A Frequently Asked Questions document (FAQs) has been prepared by County staff for distribution to property owners and has been included in the mailing of assessment notices. A copy of this FAQs sheet is included as an attachment for your reference.

Although the results of the 2020 reassessment process greatly inform the budget development process, there is no direct budgetary impact specifically related to this information.

Staff recommends that the Board receive the 2020 Real Estate Reassessment report as presented. There is no formal action required.

Mr. Peter Lynch, County Assessor, presented. He said the presentation would be about the results of the 2020 reassessment, as well as a presentation on the state of the Real Estate Assessors Office.

Mr. Lynch said when he arrived in the Assessor's office in 2015, he found an office in disarray. He said there were major issues with personnel, morale, staffing levels, organization, procedures, standardization, management and ultimately, leadership. He said the office was being narrowly held together by its staff members who cared deeply about what they did.

Mr. Lynch said he wanted the Board to understand that they took a holistic approach to improving the processes and the work they do. He said he would be presenting the Board with empirical information that reflects great improvements in all the categories he listed.

Mr. Lynch said what most people were likely there for that day was to find out that there is a 3.4% increase overall in the tax base. He said to him, what was more important was the improved state of the Assessor's office.

Mr. Lynch said he would be speaking about the primary functions of the Assessor's office, 2019 achievements, 2020 goals, assessment value changes, sales support for those assessment changes, review of results from past years, land use rates, general information, and review and appeal procedures.

Mr. Lynch said he wanted to define some terms at the beginning so that they were clear. He said the sales ratio is the assessment divided by the sale price, so on a property that sells, it is a gauge of where they are with the assessment. He said if a property sells for the assessment, it is 100%, which is what they are ultimately looking for. He said of course, they would not be at 100% on every sale, and they are looking at the way all the ratios fit together.

Mr. Lynch said the CAMA (Computer Assisted Mass Appraisal) system is the computer system that is where the assessor enters and analyzes all the data.

Mr. Lynch said the variance or COD is the variance of the ratios he spoke of. He said this is an important number when it comes to accuracy of the assessments.

Mr. Lynch said valuation neighborhoods has to do with how the work is organized. He said it has nothing to do with a subdivision where someone has built many houses, but that it has to do with an assessment neighborhood where the data is combined to come up with like properties to compare.

Mr. Lynch said the primary functions of the Assessor's office are the reassessment, where they hope to review all of the property data on every property in the County over a period of five years. He said 20% of the properties should be reviewed every year.

Mr. Lynch said the office validates all of the sales so that when a transfer happens, they check this out to look at the market data that is happening in the market, as they want the data to be accurate.

Mr. Lynch said the office updates its valuation model it uses to value all properties, and it is calibrated back with the sales.

Mr. Lynch said one of the most important functions of the office is communication to the public, which would start that day and then would happen more completely on January 24, when the reassessment notices will be sent to all homeowners. He said all the information they can get to the public about their assessment, why it changes, and how it is supported is very important to the process.

Mr. Lynch said the next major function of the office is new construction. He said as permits are taken out on properties and new houses, decks, and pools are built, the office receives copies of those permits and go to the properties to get the correct data, which is then added to the tax rolls. He said this is done when the properties are substantially complete.

Mr. Lynch said that based on State law, they also add the value of a property as of January 1, as it sits, if it is not actually complete. He said those are two components of that new construction.

Mr. Lynch said Land Use administration is a major deal in the County, and the office conducts a biennial revalidation of all properties in the program. He said 2019 was a revalidation year, and the due date for this was December 5, 2019. He said as a result, they ended up having about 75 properties that did not get revalidated and were removed from the Land Use Tax Deferral Program. He said those properties have a chance to follow through a file a new application as long as those uses are still going on.

Mr. Lynch said the office reviews all revalidation applications over a two-year period after the revalidation. He said this was new, and that the office has not had the capability in the past of checking all the properties over that two-year period. He said they did a sampling of them, but that they hadn't had the staff in place to make it fully happen.

Mr. Lynch said the office also reviews any new applications for properties, and that they are much more detailed about that review now than they used to be.

Mr. Lynch presented three basic ideas with regard to the achievements in the Assessor's office. He said they are increasing the efficiency of the work that they do, and so by organizing the properties they assess better than before, it makes the work easier, and they can get more work done. He said they have consolidated some of the small neighborhoods that they had before into larger neighborhoods. He explained that this makes it easier for the office to do its work. He said this also prevents having a five- to ten-parcel neighborhood that doesn't change over 10 years, and then suddenly, there is one sale in the neighborhood, causing the other 9 assessments to go up 50%.

Mr. Lynch said they have also reviewed and sketched more than 4,000 properties into the CAMA system. He said this was important because an accurate sketch means they have more correct information on a property. He said in the past, the majority of the properties (and still, almost half of the properties) are based on a hand-drawn sketch where they have determined the square footage. He said they want to completely sketch the 38,000 properties in the system so that they have the most accurate information.

Mr. Lynch said this all means that the Assessor's office has gotten better results. He stressed that more consistent results across the County was needed.

Mr. Lynch presented the office's 2020 goals, explaining that they would like to continue with the work they have been doing. He said specifically, they want to keep adding sketches to the program. He said living area is one of the most important parts of the model, as well as the overall size of the house. He said the more sketches they get in, the better.

Mr. Lynch said they wish to continue inspecting more properties. He said this is the key to the data quality, and the data quality was something that could make a big difference in the work that the office does. He said in 2019, the Assessor's office was able to review and update the data on about 6,600 properties. He said this included hiring a contractor they hired to look at some of the properties, and that the work also included some part-time staff in his office. He said the goal was to review about 20% (or about 9,500) properties every year and that they were falling somewhat short on this goal.

Mr. Lynch said that in 2018, the Assessor's Office determined that their oversight of the Land Use Program was not appropriate. He said they requested a new position be added for the FY 20 budget, which was approved. He said they have a new Land Use Administrator (Mr. Eric Keene) who started in the fall, and that he would introduce him. He said Mr. Keene has jumped into his position and has been finding many properties that have fallen short of qualification for the Land Use Program. He said they are making steps to make sure that all those properties will be in compliance. He said over the next two years, they hope to confirm the qualification status on all Land Use properties (approximately 4,400 properties).

Mr. Lynch said so far, with Mr. Keene's help, they have identified about \$60 million in deferred assessments that should not have been under the Land Use Program, which equals about \$500,000 in taxes. He said this was part of the budget, going forward, and the numbers that were reported to the Budget Office. He stressed that this was a major deal.

Ms. Mallek added that when the revalidation was put in, it resulted in \$5 million in revenue the first year because it was such a big sweep at the time. She remarked that Mr. Lynch's report was good news.

Mr. Lynch said they were qualifying the areas with tennis courts and even a property with a go-cart track. He said those are not qualified land uses, but it was never paid attention to before closely enough.

Ms. Palmer said there are some elderly people in the County who have been in Land Use for many years that want to stay, but perhaps do not understand all the changes. She said she was sure Mr. Lynch was helping some people who could easily meet the qualifications to comply.

Mr. Lynch thanked Ms. Palmer for her commenting, explaining that if there is any chance that a property can be qualified but is just falling short for some reason (e.g., a 25-acre parcel, with 8 acres that are cleared but is trying to qualify as forestry), the office gives everyone an opportunity in that case, when they can and are willing, to remedy the situation and continue in the program. He said they were not just throwing everyone out for a minor infraction.

Mr. Lynch said there are restrictions on some properties, for instance, that they cannot be logged, and the trees cannot be cut on those properties, yet they were in "forestry." He said there are certain restrictions on property where there is no way they can qualify for Land Use, and the office is making sure that those properties are removed. He reiterated that if there are owners who could and want to make the qualifications, the office is working with them.

Ms. Palmer asked if the Assessor's Office gives those owners information about conservation easements.

Mr. Lynch replied yes, adding that they ascertain whether or not they would qualify for that.

Mr. Lynch said overall, there was a 3.4% increase to the tax base, based on the new assessments. He said he included two previous years in the presentation so that the Board could see there was a 4% increase last year, and 2.2% the year before that.

Mr. Lynch stressed that this was just an overall average for the County. He said there were likely only a handful of homeowners who would actually have a 3.4% increase on their property. He explained that half of those properties would be below that, and half would be above that.

Ms. Price asked if the change in the count of total properties was the result from the division of larger parcels.

Mr. Lynch replied yes. He explained that this was the growth of the County, with about 700 or so properties that were subdivided in 2018 that added to the 2019 list, and 200 more that were added.

Mr. Lynch presented another slide showing the average increases by district. He noted that the Town of Scottsville, over previous years, has been going down in percentage. He said this was the first year that he has been at the Assessor's Office that it experienced an increase.

Ms. Mallek said she didn't realize that the County office took care of Scottsville's assessment.

Mr. Lynch confirmed that they do, as it was its own district within a district.

Mr. Lynch presented a breakdown by State Code, with descriptions to show what the codes mean.

Ms. Palmer said that on rural properties, there has been discrepancy between the house going up and the land going down, in previous times. She asked if Mr. Lynch would mention anything about that.

Mr. Lynch replied that there hasn't been anything unusual that year, in that regard. He said there may be a few properties that are affected individually as the office inspects them and finds differences in what they had and what they now understand. He said unlike the first year he was with the office, they did not experience a major reduction in the land value in the Rural Areas and increase in improvements. He explained that what he presented was simply an overall change.

Ms. McKeel said it would be interesting to see if many neighborhoods in the Jack Jouett District were back up to where they were in 2007.

Mr. Lynch said he believed that some neighborhoods were and that others were not.

Ms. McKeel agreed.

Ms. Price asked if there was data for rural properties under 20 acres.

Mr. Lynch replied that this was in 02, and that it was generally the rural properties that are under 20 acres.

Ms. Price asked if whether they were rural or urban, if they were under 20 acres, they were in that category.

Mr. Lynch replied yes. He explained that the difference between the first two categories on the slide was if they have water and sewer, or if they have well and septic.

Ms. Mallek asked if 01 had water and sewer.

Mr. Lynch replied yes.

Ms. McKeel asked if there was data on the neighborhoods that are not yet up to where they were in 2007.

Mr. Lynch replied that he did, but only anecdotally. He said he did not have any reports that he ran that specifically showed all the neighborhoods.

Ms. McKeel said she has been interested in seeing this data because she knew that hers was not, and that this was true for many of the people that she represents in the urban ring. She said they look, and they know, noting that this was anecdotal as well.

Mr. Lynch said that occasionally, when he looks at a property, he will look back through the years and see how the data relates.

Ms. Mallek said that the year before, the Assessor's Office generated a six-page report of all the neighborhoods in all districts, with their increases or decreases. She said people found this report fascinating, as she had distributed copies of that report at her meetings.

Ms. McKeel asked if Mr. Lynch would do this again.

Mr. Lynch replied yes.

Ms. McKeel agreed with Ms. Mallek that people love to look at that data.

Mr. Lynch said the majority of properties are single-family residential, and so he tried to provide breakdowns of information on those properties. He said the overall single-family property was about the same as the average overall for the County. He said the vacant parcels have gone up more, and that because residential condos are typically of lower value, they are experiencing more increase. He said condos are experiencing a resurgence in the County.

Ms. Mallek said this was positive for all the people who bought condos in 2012 and then were in big trouble. She said something that struck her over the years in looking at the GIS files was how with vacant residential, any property that doesn't have a dwelling on it is called "vacant residential" as opposed to "unimproved."

Mr. Lynch confirmed this. He said something without a dwelling or buildings on it would be considered "vacant residential," as long as it is zoned Residential.

Ms. Mallek asked if it was a requirement to call it "residential," explaining that some of the properties have no chance to ever be residential.

Mr. Lynch explained that it was because of the zoning. He said there may be some properties included in the number that could not be improved with a house, for flood plain reasons or steep slopes, but that the majority could be improved with a home.

Ms. Mallek asked if this was built into their base value, as someone might be able to build something there someday.

Mr. Lynch replied yes.

Ms. Mallek asked if development rights of a property taken into consideration when the assessments are done.

Mr. Lynch replied no, explaining that they do not know what they are.

Ms. Mallek remarked that they were theoretical.

Mr. Lynch replied that they were not just theoretical, but that even Community Development has to do a very deep dive to figure out information on a specific parcel. He said if they knew that for every parcel in the County, it could be included in the model, but that it was the reason why some rural properties might sell for more than the assessment, and sometimes quite a lot more.

Ms. Mallek asked if it was because people think they can do those things.

Mr. Lynch replied that those people might know that they can do that, but that the office doesn't know and don't include it.

Ms. Mallek said that people often say they are being taxed based on that. She said she replied that she didn't think so, but that she would ask.

Mr. Lynch replied that they are assessing based on what is there. He said if there is one house there, they base it on the fact that there is one house. He said if there are three houses existing on a parcel, that is different.

Mr. Lynch presented a slide that broke down the average increase in assessment by the value range of properties. He said the properties at the bottom were more liquid properties that were

experiencing the highest increases, adding that they were also the most affordable and stressing the need for affordable housing.

Ms. McKeel said there are also many houses that are over \$600,000.

Mr. Lynch agreed.

Ms. McKeel said that this was where it stopped.

Mr. Lynch explained that this was the first column, and that there was a second set of columns with more data.

Mr. Lynch presented slides with the overall average changes. He explained that there was a range of how many properties have changes within each range. He said 72% of single-family properties, or 25,000, have an increase of 0 to 10%, and so the majority of properties were in that range. He said another 15% were going down, up to 10%, but then there was a certain number of properties that were going up more than 10%, as well as some declining more than 10%.

Mr. Lynch presented a slide that he noted he would like to focus on more, as it was the support for the work that was done. He said it indicated that those changes in values are appropriate. He said there were 2,160 residential, confirmed market sales in the County. He said there were many more transfers than this, but that these were the ones that could be identified as market sales.

Mr. Lynch said that after the Assessor's Office did its work for the year, they ended up at 100%, as they are required to by law, at the median ratio. He said the COD, or variance, of this is 4.81. He presented the improvements over the years, noting that they have gone from 98%, then 99%, and then to 100%, but the COD (which is how accurate they are with the values) has been improving each year, which was a good number.

Mr. Lynch said there was a disconnect. He said the State Ratio Study that is done by the Department of Taxation indicate numbers at 93-95%, though his presentation indicated 100%. He said the difference between those numbers were that the numbers he was referring to are the 2019 sales (the 2,160 properties that sold in 2019), and that after they have had a chance to inspect them and update the data, they have gotten those sales to 100% with the presented variance. He said when the State looks at it, they will look at the latest assessment of the 2018 sales, along with the 2018 assessment. He said he is setting 2020 on 2019, and so there is a difference.

Mr. Lynch said the difference between the 100% in 2018 and the 95% that is seen by the State is the quality of the data. He said the office is updating the data on the 2,000 properties that sell each year, and that they are updating it on a number of others. He said unless those are the ones that sell, they will not equal what the State is coming up with, and so the more they update their data on properties that haven't sold, the closer they will be.

Mr. Lynch said to tie this back to Ms. Allshouse's presentation, that State ratio of 95% is used in relation to the State ratio for Charlottesville as part of the calculation for the revenue sharing with the City. He said the higher the County's is in comparison to the City's, the better the County is. He said for 2018, the City was at 89%.

Ms. Palmer said she was somewhat confused and that she wanted to take a specific example. She said to assume there is a house assessed at \$550,000 and sells for \$500,000 in 2019. She asked how this would work into those numbers and how to visualize it. She said she was not sure she was understanding what was being measured.

Mr. Lynch replied that the first thing the Assessor's Office would do is check out the property. He said the assessment may have been \$550,000 in 2019, but that once they look at it, they find that it wasn't as in good condition, some other data was wrong on it, or they resketched it because all they had was the hand-drawn sketch with less square footage. He said at this point, they might find that the new assessment for 2020 would then be \$500,000. He said their ratio, going forward, would be 100%, but the ratio that the State would see would be 110% because it would be comparing \$550,000 to \$500,000, and so the State would be behind the County on that data.

Ms. Palmer asked if when a property is sold, then the Assessor's Office takes a look at it before the new owner gets in.

Mr. Lynch replied that this was not necessarily the case, but that at some point, the office gets to the property. He said they sometimes do not get inside it, but that they can find out information via access to the listing which could correct or change the information they have.

Ms. Palmer said that often times when the new owner takes the property over, they gut the property.

Mr. Lynch agreed that this is sometimes the case. He acknowledged there could be a range of activity.

Mr. Lynch said he thought it was important to present information about data integrity and how out of date the data could be on some properties. He said in 2016, there were 203 review requests in his

office, and overall, they changed 83% of the properties' assessments on review. He said this was an unacceptable number.

Mr. Lynch said in 2017, they have 712 reviews, and they changed 80% of those properties. He said in 2018, they changed 76% of the properties. He said those were properties that they had not had a chance to review yet.

Mr. Lynch said the good news was that, in 2019, they were down to 49%. He said compared to the 80% level, this was a great increase, and that he wanted this to continue. He said this was why he didn't want to focus on the 3.4%, as the importance was how much they are changing those numbers afterwards and how many people are not asking for a review that don't have updated data. He stressed the importance of this aspect of the Assessor's Office's job.

Mr. Lynch said in 2016, they had 17% of the properties that were asking for an increase to their assessment, which was telling. He said that how many that have asked for an increase over those years was an indication that the office was, in those years, too low in those assessments.

Ms. Mallek said she thought this was a follow-up to what she remembers during the pain of the recession. She said so many people were underwater because nothing was selling, and therefore, there was no activity on which assessments could be made in the old regime. She said people were coming to the Board expressing that they were in trouble. She said the fact that Mr. Lynch was doing a much more consistent and fair assessment would help everyone.

Mr. Lynch agreed, adding that it was about organization. He said this was a big problem in the Rural Areas and not just the subdivisions.

Mr. Lynch presented a slide noting a simple change to the land use rates. He said those were established by the State Land Evaluation and Advisory Council (SLEAC) and this year were very minor changes. He said most of the rates were staying the same, and that the changes that were being made were very minor. He said the rates were low to begin with and that \$10 changes were not a huge deal.

Ms. Mallek asked if there was some work in the last several years about getting better fine-tuning of values for the County's crops, such as hay. She said much of this was based on commodity growth, such as in the Valley where there are corn and soybeans. She said the County's were disregarded because they have a lot of pasture and hay production. She asked if there was any progress on that.

Mr. Lynch replied yes, noting that several years earlier, there was a change made based on the advice of members of the SLEAC from Virginia Tech. He said there were two different methods of calculating those values. He said one is the income approach, which uses the market basket that Ms. Mallek was talking about (e.g. mostly hay and pasture) for the County, and that those were valued at practically zero. He said the second method is the rental rate method, and that he was advised that this method was much more appropriate. He said the rental rate method has been used for the past three years.

Mr. Lynch presented a slide providing a general overview, explaining that there 287 new parcels in 2019 from subdivision plats. He said they completed 1,760 permits. He said this was the general work that the Assessor's Office does during the year. He said they were picking up new value on permits that were completed, and that there is a backlog of permits that haven't been done yet that they are continuing to check.

Mr. Lynch said the last item of the reassessment is the creation of a land book. He said the land book was created in April and is the culmination of the budget process and the Board's establishing the tax rate. He said as soon as the Board established the tax rate, the Assessor's Office applied the tax rate to the new assessments to create the land book. He said the tax bills are then created off of that land book.

Mr. Lynch said the review process was one that was important to the public, and that he wanted to make it clear that there are three levels in the office or parts of the process. He encouraged members of the public to speak to an appraiser if they want to know why their property sold at a certain number or how it was calculated. He said they could call his office, and that the phone number would be on the notice they would receive. He said they will go through the process of how it is calculated and the data they have.

Mr. Lynch said this could possibly turn into a review request, if there is information that is inconsistent. He said the review is an official process where everything is tracked, and an interior inspection is done. He said the review forms themselves must be submitted by February 28, according to County Code. He said he would respond with the results of any reviews that are done. He said this triggers the deadline for the Board of Equalization on that property.

Mr. Lynch said whether or not the value is changed on a review, he will send a letter to the owner. He said the Board of Equalization is the next level, and the deadline for submitting that application is March 30 (unless one has requested a review in advance, in which case, they have 30 days after the response from that review to submit to the Board of Equalization). He said one can only get the Board of Equalization form from the Assessor's Office, as they control this form to make sure that they can track it. He said the review form, on the other hand, is readily available on the County website.

Mr. Lynch presented samples of the notices that would be mailed on January 24. He indicated to the top of the notice, explaining that if it was just an annual reassessment and nothing has changed on the property, it will say, "Annual Reassessment" on that field. He said otherwise, there could be new construction involved, a change in land use status, or some other reason for a change in value, which would cause a much greater change (such as a 100% change). He said this may not be because of a reassessment, but because of a new building or the like. He said they make this very clear at the top of the notice.

Mr. Lynch said he wanted to make a clarification about the body of the notice, as there had been issues in the past. He said they changed it at the bottom of the land use section to that if the property is not enrolled in Land Use, they make this very clear. He said that for anyone living in a condo and townhouse, Land Use is not a possibility and was irrelevant. He said they are making this clear on the form because there are properties (about 75) that they took out the Land Use Program after revalidation, and that they wanted to make it clear that they are no longer in the program. He said although they already sent letters out, sometimes letters do not get received, and so they wanted to follow up with that.

Mr. Lynch said the FAQs were updated, noting that these have been very popular in the past. He said these are included with the notice.

Mr. Lynch said there was another insert included with the notice dealing with A-Mail. He said they are trying to get the word out about this to get more people signed up.

Ms. Mallek asked if it would be possible for Mr. Lynch email her a PDF of the review process with the sample included so that she could include it in her newsletter. She said she would also include the FAQs.

Mr. Lynch replied yes. He said he had the presentation in a PDF form as well.

Ms. Mallek said this would be fine.

Ms. McKeel commented that the presentation was excellent, thanking Mr. Lynch and his staff for their hard work and professionalism to get them caught up over the past few years.

Mr. Lynch agreed that there has to be confidence in the process.

Ms. Palmer said she appreciated what Mr. Lynch said at the beginning of his presentation about coming to the office in 2015 and having a lot of work to do. She recognized that not long ago, he wouldn't have been able to say that in front of the Board, and that this positive change also reflected upon the County Executive. She said she wanted to give that credit where it was due. She said for many who were around in 2015 when Mr. Lynch came into the office, they understood there was a problem, but that they didn't understand how deep it was. She expressed her appreciation to Mr. Lynch.

Ms. Palmer asked if when Mr. Lynch finds the people who no longer qualify for Land Use, if he was requiring them to do five years of backpay in taxes, or if he is stating they will be taken out of the program for not qualifying.

Mr. Lynch replied that this does not mean that they change their use, so it doesn't require rollback taxes. He said they are finding that the way they evaluated the property in the past was incorrect, and that this is being updated. He said it simply requires them to come out of the program without the rollback taxes, unless a change in use has been identified. He said there could be exceptions, but that typically, there was no rollback in this situation.

Ms. Price said she would echo some of the positive comments and express appreciation for the method and manner in which the Assessor's Office handles those situations, not just in looking at ways to increase the payment from the residents, but also helping to improve the accuracy when it is to their benefit as well. She said she has worked with the office, having acquired an old house that needed a lot of work, and that she appreciated their professionalism in working with her long before she ever thought of running for office. She said this was an indication of how professional the staff is.

Mr. Lynch said he thought what they do is very important and that they are somewhat separate from the amount of money that is being brought in. He said they are sometimes accused of taking people out of Land Use just to get more money but that actually, it was to make the program work better, as the properties that are in the program should be those that are qualifying. He said they were taking some out because there are certain rules they have to follow.

Ms. Price said there was a time, at least with the IRS, that if someone went through an audit and found that if there was an error to the taxpayer's benefit, they never did anything to help them, but they would always take more money from them. She said what she has heard is that the Assessor's Office doesn't do that, but they make sure that it is done correctly. She said whether this is to the financial benefit of the taxpayer or the County is not the important thing, but that it was about doing it right.

Mr. Richardson said he appreciated the Board recognizing high-quality work and that they were very kind with their comments to Mr. Lynch and his staff. He said Mr. Lynch would be the first in the building to deflect accolades and also the first to recognize how hard his staff works. He said he would challenge anyone to find someone in the County Office building with a better work ethic and attitude than Mr. Lynch. He said his staff is doing outstanding work and that his leadership is making many things so

much easier.

Ms. Mallek said the communities who cannot afford to have their own Assessor's Office (such as Albemarle has) are at such a handicap because they hire a contractor and a large percentage of the time, they throw out that work and start all over again because they don't have faith in the work that is being done. She expressed appreciation for the work that Mr. Lynch has done, adding that he is a wonderful listener and is responsive to the Public's questions and concerns.

Ms. Mallek said they will continue to work on ways that they can incorporate State process and conservation projects to be able to qualify so they meet the standards and so the County can do a better job with its open space.

Agenda Item No. 12. Piedmont Family YMCA Annual Report.

Mr. Bob Brenner (Albemarle County appointee to the Piedmont Family YMCA Board) greeted the Board and introduced Christi Sheffield (Albemarle County appointee to the Piedmont Family YMCA Board). He said the YMCA has been in the community for about 162 years and has operated from various facilities over that time. He said it started as a campus YMCA in 1857 and at one time, had been operated out of what is now Madison Hall on the grounds of UVA.

Mr. Brenner said that thanks in part to the \$2.03 million that was provided by the Board and the County a number of years ago, they were able to build the Brooks Family YMCA that is now at McIntire Park and serves as a permanent operating home for the Piedmont Family YMCA.

Mr. Brenner said that during the time of construction, they were required to report on a quarterly basis to the Board of Supervisors about the status of the construction project. He said this stopped once the facility opened over two years earlier, acknowledging that they were probably somewhat delinquent in coming back to the Board and sharing the good news about what they have been able to do for the community since the YMCA has been open.

Mr. Brenner said the YMCA had been working to get on the Board's agenda since October to provide an update on their accomplishments and service to the community.

Mr. Brenner said he would introduce Ms. Jessica Maslaney, who has been with the YMCA since 2003 and was appointed as its CEO in 2015. She said Ms. Maslaney has done a fantastic job for the YMCA, as she is very passionate about its mission, which benefits the community that benefits from having a YMCA in Albemarle County and Charlottesville.

Ms. Maslaney presented the 2018 audited statement, which reflects the YMCA's financial audit, as well as the annual report. She said she would update those with 2019 numbers, and that they had to get their annual report done by January 31 (under a fiscal calendar year). She said they would then get their audited financials updated by March 31. She said the numbers she updated in the presentation do reflect unaudited, preliminary 2019 numbers and therefore, they were different than what was in the handouts.

Ms. Maslaney said the YMCA exists to strengthen the foundations of community and focuses its work around three levels: youth development, healthy living, and social responsibility. She said the benefit of the YMCA is that nobody is turned away for inability to pay, and so they make sure all their programs and services are truly accessible to the communities they serve through a vibrant financial assistance program.

Ms. Maslaney said one of the three primary locations that they service is the Brooks Family YMCA. She said this was built with the \$2.03 million provided by the County, which was leveraged with \$1.25 million from the City of Charlottesville, as well as the additional funds that the YMCA raised in fundraising and debt service for the \$19 million facility in McIntire Park.

Ms. Maslaney said the facility opened June 30, 2017 and are in year two of operation. She said they currently serve 12,331 active members, and their pro forma was originally about 8,000 units. She said about half of the members (6,166) live in Albemarle County.

Ms. Maslaney said they provide 1,110 scholarships or financial assistance to area families, totaling \$214,000 in the past year. She said they received a \$100,000 gift from Bama Works (the Dave Matthews fund), which was specifically targeted to outreach and diversity initiatives in Charlottesville and Albemarle County. She said with that, they serve about 30,000 program participants who may not be YMCA members, but participate in swim lessons, cooking classes, basketball, or other ancillary programs.

Ms. Maslaney said from 2016 to 2019, they experienced about 294% growth in the amount of people the YMCA serves in Albemarle County and Charlottesville.

Ms. Maslaney said the second major area of operation is the Crozet YMCA, which opened in 2012 and has 1,418 active members. She said 95% of those are from Albemarle County, with many from the White Hall District. She said in the past year, they gave out 423 scholarships, totaling \$106,000. She said they have about 3,000 program participants and saw about 17% program growth in the past

summer.

Ms. Maslaney said Crozet is limited somewhat by the size of the facility, so their license only allows them to have 29 children in the after-school program and 34 in summer camp. She said they filled this within hours of opening those programs.

Ms. Maslaney said the trend over the past four years has continued to increase, and so what they have seen is that more Albemarle County residents (specifically from the White Hall District) are using the YMCA facilities, with many choosing to come into the Brooks Family YMCA facility.

Ms. Maslaney said the third major program area is the Early Learning Center at the Jefferson School City Center. She said they provide year-round, full-day, early childhood education. She said in 2019, they had 156 children, with 37 of those (about 24%) being from Albemarle County. She said 136 of the children are on financial assistance, which is about 87%, or 9 out of 10 children in the program. She said they facilitated upwards of \$931,000 with federal funding, state funding, foundations and grants, and individual donations.

Ms. Maslaney said the main goal of the program is to provide high-quality, early childhood education and school readiness program so that when children arrive at kindergarten, they are ready to learn and achieve. She said the goal is that at least 95% will hit kindergarten readiness when they get there.

Ms. Maslaney said the goal in 2020 is to facilitate upwards of \$1 million in financial assistance to area residents, as well as to enhance the "Hop the Gap" Program (or wraparound service programs). She said this includes the high-quality early childhood education program and after-school programs. She said they recently partnered with Greene County and are now running all of their after-school programs at Ruckersville and Nathaniel Greene Elementary Schools. She said they will continue to expand summer day camp, as they are one of the few programs that offer subsidy assistance to Department of Social Services families.

Ms. Maslaney said another area of focus is chronic disease prevention, and that one of their goals is to take those programs beyond the walls and into communities who need them the most who may have transportation or accessibility barriers. She said all the programs, including the LEAN program (a weight loss program), diabetes prevention, Livestrong (cancer survivor program), and Enhance, are all programs they can take into the community and meet people where they are.

Ms. Maslaney said the last area they are hoping to gain traction on in 2020 is the Safety Around Water program. She explained they had not yet gained much ground on the program yet due to lack of infrastructure and staffing.

Ms. Maslaney said each year, the YMCA teaches over 1 million children how to swim around the country, and that two children die every single day of drowning. She said swimming is an important life skill to teach children, and that many YMCAs do this successfully across the country.

Ms. Maslaney said the YMCAs partner with school systems to bus every second-grader (or perhaps first-graders or kindergarteners, depending on the school system) to the YMCA and teach them the Safety Around Water program. She explained that these are not swim lessons but rather, they are about children successfully getting out of the water and surviving after falling in. She said it is an eight-week curriculum, and the plan is to go before the School Board.

Ms. Maslaney said the two barriers to establishing the program were the commitment to the school day and time out of the classroom, and transportation. She said other communities do this successfully by partnering with the school systems, and that the school systems commit to the time out of school and transportation. She said the YMCA then provides the facility, staffing, and administers the program. She said they are currently working to make progress on this effort in 2020.

Ms. Mallek said she eagerly supported the swim program for the elementary school kids, noting that the statistics around drowning were grim, and that the underprivileged kids who never have the opportunity to have lessons make up the huge majority of those deaths.

Ms. Maslaney said the beauty of the program was that the kids are assessed when they first come in as to if they fell in water, if they would survive. She said at the end of the eight weeks, the kids are assessed again, and any they identify that would not successfully exit the water are then put into the program on the YMCA's cost, and they work with the families to remove barriers of transportation and help them get to the YMCA in order to continue a second session. She said they also have the infrastructure that they can progress them through swim lessons to help them become more efficient in the water.

Ms. Mallek asked if there were rudimentary swimming skills provided in order to be able to float and tread water.

Ms. Maslaney said this was correct. She said the skills included a "jump-bounce-turn" so if the kids fall into the pool, they can find the bottom of the pool, push themselves out, and then turn on their backs to float.

Ms. Mallek said it also takes time, for many children, to overcome the fear factor.

Ms. Maslaney agreed.

Ms. McKeel said she was thrilled when she met with the YMCA back in October to see the stats around Albemarle County usage. She said they put a good bit of taxpayer money into the facility, and to see that they have about 50% of the membership from Albemarle County was very rewarding when considering a return on investment.

Ms. McKeel said she understood that the size of the County, with its schools, was likely one of the problem areas, but that there were clusters of Albemarle County schools in the urban ring that were not very far away. She asked if there was any discussion around serving those schools outside of school hours, as they are close by and wouldn't necessarily have to lose school time. She recognized that if kids are being brought in from Scottsville, that time away from school is much greater than if they are being taken from Woodbrook or Grier.

Ms. McKeel said one reason why she was so supportive of the YMCA itself was because of the swim program and having the children being able to access "drown-proofing." She suggested there were many children in the urban ring who cannot swim, remarking that it is scary to watch kids at the pool at Barracks West, for example.

Ms. Maslaney said there were phased approaches that could happen, so that it could start in an after-school type of capacity or during the summer and then later, extend into the school day. She said it could be a phased approach starting with students in the urban ring, then expanding out and partnering with other agencies that have pools. She said there are many ways that other communities have successfully done this, and the next step was to meet with the School Board to figure out what makes sense for this community.

Ms. McKeel said it was great that the YMCA would be speaking to the School Board.

Ms. Mallek said there are so many children in second grade, and it seems as though school-by-school would be the only way to do it.

Ms. Price said the return to the community on the financial assistance was significant and important.

Ms. McKeel said Albemarle County does not have a swimming pool, but that the City does and that they bus and get the kids out of their schools to their pool for lessons. She said the County was in a way dependent on the YMCA to help them with this.

Ms. McKeel commented that when she sees "healthy living," though she was sure the YMCA has outreach to the community, the data shows that for the people who live in the Commonwealth Drive/Hydraulic Road area, their life expectancy is 7 years less than Albemarle County overall. She asked if YMCA was reaching out to those communities.

Ms. Maslaney replied that they focused much of their work from the Map to Health report that was released, and that they applied for and secured funding from Map to Health to address some of those health outcomes for the identified neighborhoods that have poor outcomes.

Ms. McKeel acknowledged that those neighborhoods were scattered in other places, but that Commonwealth/Hydraulic happens to be a large area, and it is right there in the urban ring.

Ms. Maslaney said one of the YMCA's goals is around portable programs, so instead of trying to get transportation or getting people on bus routes, they could go into community centers or churches to meet them where those people are and administer programs there.

Agenda Item No. 13. Albemarle County Service Authority (ACSA) Quarterly Report.

Mr. Gary O'Connell, Executive Director of the Albemarle County Service Authority (ACSA), presented. He noted he sent out a written report to the Board in advance.

Mr. O'Connell said he would talk about the Strategic Plan, the AMI (Advanced Metering Infrastructure) project, and a couple other items. He said the ACSA has been working on a Strategic Plan over the last year, and they now have a three-year plan that is looking at major projects and a number of initiatives they are trying to work on. He said those were included in the report.

Mr. O'Connell said the ACSA's focus is safe, clean, reliable water and that all the initiatives are aimed at providing this as well as good customer service. He said they feel as if they are in good a place in terms of customers. He said they did a customer survey as part of the Strategic Plan and have received an over 94% satisfaction rating from customers.

Mr. O'Connell acknowledged there are things the ACSA needs to work on and that they are focusing on these. He said two major projects are Advanced Metering; and an internal project around workorders, inventory, and customer requests called CMMS (Computerized Maintenance Management System).

Mr. O'Connell said the ACSA compiles a twice-yearly detailed report with its own board.

Mr. O'Connell said the ACSA has been working on Advanced Metering Infrastructure (AMI) for almost 10 years. He said it is electronic metering that would send metering information by radio signals that would come to the ACSA. He said the great advantage to a customer is that they get immediate leak protection, within minutes. He said this is a very efficient system that helps with water conservation and helps reduce high bills and sticker shocks.

Mr. O'Connell said about half of the meters in the ground now have the ability to make the change to electronic metering, and so it has been a phased process. He said the ACSA has received Board approval to go forward, and there is a planning phase that will happen over the next few months. He said they would then go through three phases: a small alpha phase to test the equipment, a larger phase including about 400 customers, and then full deployment throughout the system, which would be about a year from then.

Mr. O'Connell said the ACSA is working on customer communications, as there is a lot of information to get out, as well as the logistics of completing the project. He said they would also be proposing to the Board an opt-out policy. He said if there are customer who do not want to participate, there will be an approach to allow them to opt-out. He said he hoped they could be convinced of the value of having the leak detection, however.

Mr. O'Connell said as part as AMI, the ACSA explored new ways for customers to pay their bills, including electronic options. He said they also explored convenience fees. He said in the customer survey, they received feedback about a clunky website and clunky bill payment. He said they want to modernize this. He said there were also negative comments around the convenience fee charged on credit card use. He said some utilities have as much as 40% of their payments in credit cards.

Mr. O'Connell said the ACSA is moving forward with new software that they put in place earlier in the summer, and that their board has approved eliminating the convenience fee.

Mr. O'Connell said in terms of capital projects, there are over 30 projects at over \$10.4 million. He said they have a number of larger water lines that need replacement, which is a regular program that the ACSA is trying to be proactive with. He said if the Board would like more details, maps, or even a tour of any of the projects, they could let the ACSA know.

Mr. O'Connell said four times a year, the ACSA sends out a customer newsletter with the bills (about 18,000 copies), and that these are also provided electronically to customers. He said these are updates talking about what is coming and that in the last newsletter, it addressed the Strategic Plan as well as winter tips.

Mr. O'Connell said the ACSA is looking for ways to get people to think about water, the value of water, water conservation, and ethics. He said there is a major student project happening, and that they have been working with the County and other partners on a hydrant program. He said for five years, they have worked on a project that is a partnership between City Utilities and the Rivanna Water and Sewer Authority (RWSA) called "Imagine a Day Without Water," with a large participation over the five years with close to 2,000 students.

Ms. Palmer asked if the pictures were hung up in the school hallways, noting that they were lovely and fun.

Mr. O'Connell said he could check on this, as it was a good idea. He said they were hanging up in his offices and the City's offices.

Ms. Palmer said it would be nice to spread those around.

Mr. O'Connell said Imagine a Day Without Water is a national campaign that the ACSA tries to piggyback on. He said there was a kickoff this past year for the first time at Stonefield, which had previously been done downtown. He said they had some good discussions with students, as well as a radio promotion. He said the theme that year was, "Only Use What You Need." He presented pictures from the winners. He said there is also a Fan Favorite award, with 1,800 people who voted via the website.

Mr. O'Connell said he received a comment from one of the student's fathers stating that he learned more about water conservation from the program and things to do in his home because his child was asking about it. He said if they could reach that many parents, they will do what they were hoping to accomplish.

Ms. Palmer said this goes to support the efforts in the schools – when they teach the students, they also teach the parents.

Mr. O'Connell said another community partnership was placing art on manhole covers, acknowledging that he had had trouble with this. He said this was a partnership between the Bridge Arts Initiative, which handles the mural projects and has a wonderful website, that involved the ACSA, Ms. McKeel, and Ms. Emily Kilroy (Communications and Public Engagement, Albemarle County). He said community artists submitted their artwork for the project, and that there were located in five locations, with one location being the ACSA offices at Spotnap Rd, and a series around Georgetown Road and Commonwealth Drive.

Mr. O'Connell said it took a while for the ACSA to figure out how to conduct the mural program. He said, in order to ensure they were protecting the hydrants, they involved the Fire Department.

Ms. McKeel said they had it figured out now.

Mr. O'Connell said it had to do with the kind of paint. He presented pictures of the murals, including photos of the artists painting, and completed projects.

Mr. O'Connell said the ACSA hoped to expand the program, noting there were costs associated. He said if the Board hears of an interested group, the ACSA would be glad to work with them.

Ms. McKeel said she had two groups interested in having the program in their area. She said the timing was good because they would start meeting with those groups in the winter, then be ready for them to make a decision, and roll it out in the spring when it is ideal to paint. She said anyone who was interested should contact herself or Mr. O'Connell.

Ms. Mallek said a Homeowners Association could be a good partner because then they would participate in the funding of it.

Mr. O'Connell said they could even help select the artwork. He said Ms. Kilroy had helped coordinate a community evening to have people select from the submissions.

Ms. McKeel said they put up all the options, and the community can pick the one they want. She said it costs about \$500 per hydrant.

Mr. O'Connell said there is a stipend to the artist.

Ms. McKeel said an HOA, or anyone with a hydrant on their property who would like to pay for it, was a possibility.

Ms. Palmer said she continues to notice that many people do not understand how good the water tastes now. She said perhaps this could be called out in the ACSA newsletter. She said she was still encountering people who are used to buying bottled or filtered water and have been doing it so many years, they don't recognize the change that's taken place. She said everyone needs to get the word out about the water tasting good. She explained that although RWSA runs the treatment of the water, she was telling Mr. O'Connell this because he has the interface with the customers.

Mr. O'Connell said ACSA received very good responses (about 90%) about the quality of water through the customer survey. He said there were a handful with issues that they followed up on.

Ms. Mallek said when there is \$1.02 per gallon versus \$2 for a 12-ounce bottle, this has to get someone's attention.

Ms. Palmer said people remark that the water tastes like chlorine. She said it doesn't taste like chlorine nearly as much as it used to. She said she has noticed the difference in different houses but that this was because of plumbing, because it's all the same water.

Ms. Price said she looked forward to meeting with Mr. O'Connell, as they discussed, and will want to learn about the ACSA's vulnerability assessment actions to protect the water supply.

Agenda Item No. 14. Rivanna Water and Sewer Authority (RWSA) Quarterly Report.

Mr. Bill Mawyer, Executive Director of the Rivanna Water and Sewer Authority (RWSA), presented. He said RWSA is closely aligned with the ACSA and their goals of safe, healthy water. He mentioned the Granular Activated Carbon (GAC) filters and benefits they plan to see from them. He said RWSA did several video projects and posted them online. He said they would be doing a video about the GAAC and their water system.

Ms. Palmer said perhaps the Board would distribute this on their website as well.

Mr. Mawyer said RWSA runs the major infrastructure such as the reservoirs, water treatment plants, and wastewater treatment plants. He said they wholesale, in effect, to both Mr. O'Connell and to the City to serve both entities.

Mr. Mawyer said that in Ms. Price's district, there is a water treatment plant that serves Scottsville, one that serves Crozet, as well a wastewater treatment plant that serves Scottsville. He offered to give Ms. Price a tour whenever she would like.

Ms. Price said she looked forward to it.

Ms. Palmer mentioned Glenmore.

Mr. Mawyer said in Glenmore, there is a wastewater treatment plant. He said the major wastewater treatment plant is at Moores Creek, beside Route 20 and I-64, which is where all the

wastewater from the City, urbanized areas of the County, and Crozet makes its way back to Moores Creek.

Mr. Mawyer said Scottville has its own plants and that there is a small treatment plant that serves the Glenmore subdivision. He said there is also a fourth, small sewer package plant that serves Stone Robinson Elementary School, and so there are technically four wastewater treatment plants and six water treatment plants. He said there is a small one at Red Hill, one at Observatory Mountain, South Rivanna, North Rivanna (29 North), Crozet, and at Scottsville. He said there are also six reservoirs in the county.

Mr. Mawyer said the area had been blessed with rain over the past few months, and that he was pleased to say that all the reservoirs were full. He said this was a good thing while getting ready for the spring.

Mr. Mawyer said he would mention some of the major projects that RWSA was working on for 2020 and the coming years. He said there is a major renovation happening at the Crozet Water Treatment Plant, where the capacity will be increased from 1 million gallons to 2 million gallons.

Mr. Mawyer said the Rivanna board would be asked to award a construction contract that month to start renovations at South Rivanna (the largest water treatment plant).

Mr. Mawyer said they were pairing up the South Rivanna and Observatory Water Treatment Plants in one contract to get some volume benefit. He said the bids were opened the week before, at about \$38 million. He said collectively, for the three major water treatment plants, they would be spending about \$52 million over the next few years. He said this work was ongoing.

Mr. Mawyer said they plan to construct a water treatment pump station at the Hollymead Town Center, which would begin in 2021. He said this will improve water pressure and help allocate water to the growth happening in the Route 29 corridor. He indicated on a map to an area that had already been purchased between Airport Road and 29 North.

Mr. Mawyer said at the Beaver Creek Dam and Pump Station in Crozet, the spillway must be enlarged because more rainwater must be passed, in accordance with new regulations, to avoid dams from being washed out. He said there are plans to build a bridge on Browns Gap Turnpike and construct a concrete spillway. He said this is called a labyrinth spillway, explaining that the V-shaped design allows more water to pass because the surface area that the water can pass over is increased. He said this would be a major project.

Mr. Mawyer said the current raw water pump station that pumps the water from the reservoir to the Crozet Water Treatment Plant has to be relocated, and that RWSA is looking at properties, primarily on the west side of Beaver Creek Reservoir, for the new pump station site. He said this was also a big project in the program.

Mr. Mawyer said that on the Community Water Supply Plan that was approved by the community in 2012, one of the pending projects is to construct a raw water pipeline from the Rivanna Reservoir over to the Ragged Mountain Reservoir. He said it was planned to be built between 2027 and 2040.

Mr. Mawyer said that in October, the Ragged Mountain Reservoir was about 2.5 feet low, which is approximately 130 million gallons that it was down. He said it holds about 1.4 billion gallons. He said one of the significant aspects of the pipeline is that it lets them pump and transfer a significantly higher amount of water between areas. He said currently, they have to fill the reservoir from the Sugar Hollow Reservoir, and this will allow them to net about 2 million gallons per day. He said the proposed line would allow them to net about 22 to 23 million gallons per day transferred, while also withdrawing water at the Observatory Treatment Plant.

Mr. Mawyer said it was estimated that with the current process from Sugar Hollow, it would have taken 90 days to refill the reservoir; whereas if they have the new pipeline, they could refill the reservoir in 6 days. He said this would be a significant benefit for resiliency, redundancy, and reliability of the treatment plants and systems when they hook the two reservoirs together and thereby, hook in the South Rivanna Treatment Plant. He said effectively, the Observatory Treatment Plant could get water from either reservoir.

Ms. McKeel said she was somewhat uneasy with the 2027 date on that particular project. She said she understood that the right of ways have gone through fairly easily. She asked Mr. Mawyer why there would be a long wait before starting on the project.

Mr. Mawyer replied that in 2010, a consultant conducted a study for Rivanna that predicted that by 2040, there needed to be more water to supply the community. He said the project is estimated to take about 8 years to complete. He said they crafted four alternatives last spring, with one being that they could start in 2022 and build it by 2030; or they could have a late start in 2040 that would result in finishing in 2048. He said the Rivanna Board selected the two midterm proposals that would say that they could start in 2027 and be finished by 2035; or, they could start in 2032 and be finished in 2040.

Ms. McKeel said the bottom line was that putting it off until 2027 was concerning because they could not predict when the next drought would happen.

Mr. Mawyer agreed.

Mr. Richardson added that as a sitting Rivanna Board member, they were looking at a number of things, and the consultant study was key. He said they were also looking at the retirement of debt.

Mr. Mawyer agreed, noting that this was in 2030.

Mr. Richardson said that for the Rivanna Board's consideration, the retirement of that debt and the start of the project were factors that dealt with the cost associated with how they space out the costs for the water users, taxpayers, and in trying to fit the project in. He said they had to consider debt being retired, taking on new debt, and debt capacity, and that all this played a part.

Mr. Mawyer agreed.

Ms. Palmer added that when the Rivanna Board discussed the project, the ACSA Board had already discussed it themselves, and that it was 2028 that its financial planning was based on. She said the City was not ready to commit to the project. She said there would be an opportunity on the Rivanna Board to discuss this, adding that they had not taken an actual vote on the project, although the ACSA Board has.

Ms. Palmer said she was supporting the soonest date they could get, but that she wanted everyone to know that the City has yet to have the conversation. She said she pointed out to the City that the County is paying the majority of the bill, which would hopefully influence them significantly in their decision. She said this was an ongoing issue that, after the new demand analysis comes out, they expect to have another conversation and hopefully vote, which would nail down the potential start date.

Mr. O'Connell said the five-year plan for Rivanna was \$132 million, and the fifty-year plan is \$250 million. He said part of the issue was financial planning to make sure they do not have sticker shock on the customers. He said the ACSA is responsible for 80%.

Ms. McKeel said she understood this, but that this was based on the population area. She said it was not the City's population area.

Mr. O'Connell said he would leave a letter on the ACSA Board's position that mentions several of the other pieces. He said the Observatory Plant was a piece, and the new pipe coming out of the plant.

Mr. Mawyer said there was a new pipe that would have to be built from the reservoir up to the Observatory Treatment Plant, which was next in the program. He said they are building the cost for this project into the rates to fund the project without having a huge rate spike in 2027. He said they were gradually increasing the rates that Rivanna passes on to the ACSA and the City.

Ms. McKeel said this was good to hear.

Mr. Mawyer said they would pay 80%, in accordance with the community agreement.

Ms. Palmer said she was glad that the other pieces of the project were brought up that are going in now to serve the line to go from Ragged Mountain to O Hill. She said they also just put in 6,000 linear feet across Birdwood.

Ms. McKeel recognized this work.

Ms. Palmer said the Rivanna Board must vote to nail down the date and that she was very anxious to do this soon.

Ms. Mallek asked when the water demand analysis report would be released.

Mr. Mawyer replied that Rivanna was reviewing it that month.

Ms. Mallek asked if he had it in hand and was not waiting for a consultant.

Mr. Mawyer replied yes. He said he would meet with Mr. O'Connell and the City on January 23 to begin discussion, and then would bring it to the Rivanna Board in February.

Ms. Mallek said what she was hearing from citizens, when they see in the news what is happening in Australia, is that they remember that from 2000-2003, they were nine days away from closing UVA. She said this had an impact on the economy and individual families, and that this was the alternative they need to think about when they're worrying about whether it is a 20-year plan or a 15-year plan. She encouraged everyone to step it up.

Ms. McKeel said that compared to other communities, the County's water rates are very reasonable.

Ms. Mallek agreed, adding that they often ignore saying this.

Mr. Mawyer agreed.

Ms. McKeel said that if the Board of Supervisors could help to push or inform the City, to let them know.

Mr. Mawyer said offers have been made to all the private owners of the properties under review, except for one business that is on Woodburn Road, and the UVA Foundation. He said offers have been made to all of the others through Ingleside and Reservoir Road, and that they have had one acceptance. He said they completed one easement with Camp Holiday Trails. He said they were starting the construction on the Observatory Treatment Plant as well.

Mr. Mawyer explained that there were three critical components: water supply in the reservoirs, water treatment (which is being upgraded through the water treatment plants), and water distribution. He said there would likely be another major project to put in more finished water lines throughout the area to get the water to the customer's tap. He said if any of those three components are missing, the water cannot be distributed to the tap.

Ms. McKeel added that if water is missing due to a drought, this is a huge problem. She asked what Mr. Mawyer had just said about the UVA Foundation's property and if they were refusing to give access.

Mr. Mawyer replied that there are 11 private property owners and that Rivanna is counting UVA Foundation as a private property.

Ms. McKeel asked if Rivanna was working with UVA Foundation.

Mr. Mawyer replied that they are working closely with the UVA Foundation and had acquired the easement for the Birdwood section through the Foundation. He said they have at least 7 properties that must be crossed, and so Rivanna is working very closely with Tim Rose and his staff.

Ms. Mallek said she understood that all the projects were complex. She suggested that they run somewhat parallel to each other instead of sequentially in order to save 10 years of time.

Mr. Mawyer said that Rivanna would be having the discussion with its board very soon.

Ms. McKeel asked if Ms. Palmer could report back to the Supervisors after that discussion.

Ms. Palmer replied yes, expressing that the matter was critical to her as well.

Ms. Mallek expressed that the Supervisors could provide some ammunition behind the project.

Mr. Mawyer said there would be a wastewater storage facility built at Route 250 and Route 240 called an equalization tank. He explained that when rainwater gets into the piping that goes from Crozet back to Moores Creek, it could overload the system, and they would have sewer overflows. He said this would capture some of the flow and be placed in a tank that would be built in the next 1.5 years.

Mr. Mawyer said in terms of the project that the Board of Supervisors was funding at Ivy, Rivanna was opening bids the next day for the new recycling convenience center they will build there. He said though this was a smaller project, it still cost a significant amount of money. He said the hope was to get started on the project and have it ready by the summer.

Mr. Mawyer said he expected to get the sanitary sewer basin beside Albemarle High School demolished that summer, before school starts again next fall.

Ms. McKeel thanked Mr. Mawyer for this, noting it was one of multiple ongoing problems.

Ms. Price said she was impressed by the increased use at the Ivy Material Utilization Center over the past two years, from 28 tons per day to 85 tons per day.

Mr. Mawyer added that it was over 100 tons per day over the summer.

Ms. Price echoed the concerns of the other Supervisors. She said she grew up in Atlanta and that they rely on Lake Lanier, the largest manmade lake east of the Mississippi, and in the early 2000s, they came within a day or two of running out of water.

Ms. Mallek added that they had had to get their water from a neighboring state.

Ms. Price said accessibility and security of water is critical to survival.

Mr. Mawyer said that they would need to shut down the Ivy facility for a week, from Monday, January 27 through Saturday, February 1. He said when there was a fire back in August, it damaged some of the concrete within the facility, and they will need to get this repaired and keep traffic off it for a few days.

Mr. Mawyer said they talked about possibly keeping the Tag-a-Bag and recycling areas open, but what the staff experienced when they had the fire was that they did this and that there was major discontent from the customers who would drive up, seeing the car in front of them come in, and then staff would say their area was shut down. He said it seemed much better from a customer service standpoint to simply close the facility and reopen in a week.

Mr. Mawyer said Rivanna has sent letters to the haulers and put up signs, as well as issuing a press release. He said they would have Ms. Kilroy to help get this information out next week on the County's social media about the closing. He said they are also letting the public know they can go to Greene or Republic in Zion Crossroads in the meantime.

Agenda Item No. 15. Closed Meeting.

Motion was offered by Ms. Palmer to go into 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 to the Biscuit Run and Climate Change steering committees; and
 2. To discuss and consider appointments of citizens to various County authorities and other public bodies, including the Albemarle County Service Authority, the Board of Equalization, and the Board of Appeals.

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

AYES: Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price.

NAYS: None.

ABSENT: Mr. Gallaway and Ms. LaPisto-Kirtley.

Agenda Item No. 16. Certify Closed Meeting.

At 6:03 p.m., Ms. Palmer **moved** that the Board of Supervisors certify by a recorded vote that, to the best of each supervisor's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the closed meeting, were heard, discussed, or considered in the closed meeting. The motion was **seconded** by Ms. Mallek

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

AYES: Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price

NAYS: None.

ABSTAIN: Mr. Gallaway

ABSENT: Ms. LaPisto-Kirtley

Agenda Item No. 17. Boards and Commissions

Motion was offered by Ms. Price to appoint the following people to Boards and Commissions:

- **Appointed** Mr. John W. Parcels to the Albemarle County Service Authority with said term set to expire December 31, 2023.
- **Reappointed** Mr. David Ferrall to the Equalization Board with said term set to expire December 31, 2020.
- Ms. Mallek and Ms. Price to the Biscuit Run Steering Committee with said term set to expire December 31, 2020.
- Ms. LaPisto-Kirtley and Ms. Palmer to the Climate Change Steering Committee with said term set to expire December 31, 2020.

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

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

NAYS: None.

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

Mr. Kent Schlusell (Rio District, 1171 River Chase Ridge) welcomed and congratulated Ms. Price for her position on the Board. He said he hoped she would be successful and help continue to make Albemarle County a good place to live and work.

Mr. Schlusell said that in a few weeks, the Board will be asked to approve a zoning change at 999 East Rio Road from R4 to Neighborhood Model. He said when this request comes before the Board, he would urge them to consider the issues and reject the request of the rezoning.

Mr. Schlusel said this would be the second time this rezoning request has come before the Board. He said last September, several Board members had concerns about the rezoning, and the applicants requested deferral of the action. He said the previous Board was concerned by many of the same issues as the residents. He said besides the increased traffic (which has only gotten worse since then), safety issues, and incompatibility of design as an infill development, the major issue was a commercial component of the proposal. He said that several members of the Board stated that the commercial component should be taken out of the proposal.

Mr. Schlusel said the developer did revise the proposal and, in his opinion, made significant improvements. He said the developer reduced the number of units, taking out the apartments but still making provisions for affordable housing. He said the commercial property, however, is still there.

Mr. Schlusel said he first questioned if this was truly a Neighborhood Model because the 1.9 acres with no neighborhood center seemed to have too much put into such a small area. He said the commercial property could almost be anything, according to the code, except for restaurants, as he understood it.

Mr. Schlusel said the rezoning was based on the guidance from the Comprehensive Plan, but that the current plan was not working anymore for this part of the County. He said with an increase of traffic from over 1,000 residential units being built on 29 North, the buildout of Belvedere, and The Center, traffic will only increase. He said the Comprehensive Plan has no provision for improvement in infrastructure to provide safe and effective traffic flow. He asked why give approval based on a plan that is not working.

Mr. Schlusel said when the developer was asked why they should not take out the commercial property, she responded that it had to be there for economic reasons. He said that, in other words, she wants the Board to consider her economic situation as a factor of approval at the expense of Albemarle taxpayers.

Mr. Schlusel said there are simply too many questions on the rezoning and the proposal. He said that before the request comes to the Board, he would invite them to actually walk along Rio Road near Belvedere to see the property. He said he would be happy to accompany Board members, as he walks there several times a week.

Mr. Schlusel said he hoped the Board would not allow a commercial property on this tract and would deny the request.

Ms. Judy Schlusel (Rio District, 1171 River Chase Ridge) said she is a member of the Rio-29 CAC. She said at the Planning Commission meeting the night before, the proposal for 999 Rio Road was passed 4-3. She said the Commissioners' discussion, at times, was an extension of some of the concerns expressed during the open comment segment.

Ms. Schlusel welcomed the newly elected Supervisors. She said the other Supervisors would recall the September 2019 meeting, where there was discussion about the request for the rezoning. She said at that meeting, it was quite clear that the sentiment was that too much was planned for a small space, and the Board did not want to see the commercial entity included in the design. She said a deferral was asked for and granted.

Ms. Schlusel said that changes have been made, but that the fact remained that the commercial entity was still in the rezoning request.

Ms. Schlusel said the new proposal now brings concerns about adequate parking, not only for residents, but for potential guests. She said the County Planner suggested that the GIS was not accurate but brought up the proposal. She asked where the trash for commercial tenants be located, as they would certainly not want a trash receptacle facing the heavily trafficked Rio Road. She asked what type of lighting would be proposed so as not to disturb the rural aspect of Albemarle County that so many residents find desirable.

Ms. Schlusel said that at the Planning Commission meeting, the design and façade of the building was questioned, since it looks like a big box store. She said the developer indicated that the proposal is conceptual, and an entrance door would be put on Rio Road. She said if this is the case, the potential patrons would need to park in the back and walk around the building to the entrance on Rio Road, which was not particularly convenient.

Ms. Schlusel said frankly, the design looks like a form-based code concept, which is not to go down that far on Rio Road. She asked if the developer was trying to slip this in to receive some more bonus points.

Ms. Schlusel said at the Planning Commission, it was mentioned that the proposed furniture store may be looking elsewhere, so perhaps there could be Office/Flex/R&D as potential clients. She asked why a potential tenant would want to wait for this proposal to become reality when there are so many vacant spots on the Rio Corridor.

Ms. Schlusel asked if this potential development would have an HOA with governing guidelines to guarantee that, in the future, there will be nothing outlandish or offensive in the Entrance Corridor. She

asked who would monitor the commercial property to make sure that the future space isn't redesigned into something that would be unacceptable. She said there were many thoughts and questions and so far, everything was very theoretical.

Ms. Schlusel said at the CAC meeting, the developer was questioned about the new proposal and responded that while she did make some changes, this was financially all she could come up with. She asked if, with a statement like this, those who have lived in the area for 25 years or more should yield to the developer's proposal for her own personal, financial gain.

Ms. Schlusel said the long-awaited wildflower area has become a reality, and asked if they wanted the image, after driving past the beautiful flowered area surrounded by single-family homes, to come upon 999 labeled "Neighborhood Model" that will have a very busy image of trying to fit too much in too small of a space.

Mr. Gallaway closed Matters from the Public.

Agenda Item No. 19. Fire Rescue Service Challenges Work Session.

The Executive Summary forwarded to the Board states that, during the December 4, 2019 five-year financial planning work session, staff presented to the Board of Supervisors two emerging issues that challenge ACFR to maintain current levels of service:

- 1) Crozet Volunteer Fire Department (CVFD) has requested supplemental paid staffing Monday-Friday from 6:00 am - 6:00 pm.
- 2) Charlottesville-Albemarle Rescue Squad (CARS) is demonstrating reduced capability to send advanced life support (ALS) units into Albemarle County on nights and weekends.

At this meeting, the Board requested that staff schedule another work session to discuss these issues and possible solutions. In addition to this presentation, staff prepared a document (Attachment A) to address specific questions asked during the December 4 work session.

Albemarle County Fire Rescue (ACFR) faces a number of challenges to maintaining the current service levels in our rapidly developing County. Primarily, CVFD has requested supplemental paid staffing Monday - Friday from 6:00 am to 6:00 pm and CARS is demonstrating reduced capability to send advanced life support (ALS) units into Albemarle County on nights and weekends.

In order to address these issues, staff is considering both expanding current emergency medical services (EMS) to 24/7 at Ivy and Pantops and re-positioning system assets to cover high volume gaps. These considerations will provide for more consistent and reliable County-wide ambulance service; better ensure ALS service is available to all areas of the County; improve overall EMS response time to rural areas of the County; and establish consistent insurance-only EMS transport billing practices.

This discussion will provide important context for the annual budget process.

The work session is to provide the Board of Supervisors with additional relevant information regarding fire rescue system challenges in the context of the upcoming budget process.

Chief Dan Eggleston, Chief of Fire/Rescue, presented and was joined by Deputy Chief David Puckett, who oversees the Operations branch for the department. He pointed out Dr. Bill Brady in the audience, who is a UVA ED Physician as well as Medical Director for the department. He said Dr. Brady oversees the provisions of pre-hospital care for the department.

Chief Eggleston said he would continue the discussion relating to the five-year plan, with the purpose being to review options to address Fire/Rescue challenges and maintaining current levels of service, while soliciting the Board's feedback to help inform the development of the County Executive's recommended FY 21 budget.

Chief Eggleston said the presentation would have two parts, and that he would pause after the first part to solicit some input and feedback from the Board, and then, he would end with the second part and take questions.

Chief Eggleston said that as had been explained during the previous conversations related to the five-year plan, their considerations in terms of addressing service-related challenges are to expand current EMS services at Ivy and Pantops to 24-7 coverage. He said at the moment, both ambulances are only staffed during the daytime, Monday through Friday.

Chief Eggleston said the second consideration is to apply consistent insurance-only billing practices to all County residents.

Chief Eggleston said another consideration is to improve EMS efficiency through 24-7 system management and consider the repositioning of system assets to cover high-volume gaps.

Chief Eggleston said the two emerging issues he wanted to discuss are related to CARS'

(Charlottesville Albemarle Rescue Squad) reduced capability to send advanced life support (ALS) units to County areas during nights and weekends; and Crozet Volunteer Fire Department's request to provide daytime career staffing, Monday through Friday, 6:00 a.m. to 6:00 p.m.

Chief Eggleston said CARS responds to EMS incidents in portions of the County, with about 2,000 calls per year. He said in addition to this, they respond to about 5,000 calls per year in the City of Charlottesville, and so it is a busy volunteer organization that divides its time between the City and County in terms of their response to EMS incidents.

Chief Eggleston said that in 2012, during negotiations for EMS cost recovery, the organization decided to limit their response to only nights and weekends. He said this hamstrung the County to the extent that they had to compensate by staffing up additional ambulances for the system to fill those gaps in the county as a result of the decision.

Chief Eggleston added that over the past year, the department has seen a significant drop in the ability for CARS to provide ALS services to priority critical EMS calls. He said they believe the drop in coverage is related to difficulties with sustaining a volunteer paramedic cadre, combined with when the organization has an ALS resource, that ALS resource is shared between the City, County, and UVA.

Chief Eggleston said there have been follow-up conversations with the leadership at CARS, and that the organization has informed the department that they want to be focused on becoming and sustaining a solid, basic life support service. He said therefore, rebuilding the EMS staff is currently not on the list of priorities for the organization.

Chief Eggleston said he would take a moment to briefly review the significance of providing ALS in the delivery of the department's pre-hospital care. He said ALS (paramedic service) is a standard of care for the pre-hospital environment. He said peer localities (presented on the screen) have all adopted ALS as their service model for pre-hospital care.

Chief Eggleston said that in 2019, in terms of activity, Fire/Rescue transported over 8,000 patients to the Emergency Department, and that greater than 50% of those patients received at least two ALS interventions.

Chief Eggleston said in order to meet the demand over a large geographical area, the systems required a significant number of apparatus staff with paramedic-level service.

Chief Eggleston presented a map showing the daytime distribution of eight ALS-staffed ambulances throughout the County. He said with the exception of ambulances at Earlysville and Scottsville, six of the daytime ambulances are positioned in the urban areas where they see the most significant amount of call volume. He said the majority (about 69%) of calls are in the Development Area. He said the distribution covers those Development Areas very nicely although, in some cases, it can get busy, which often happens in EMS systems.

Chief Eggleston said during nights and weekends, the model drops from eight staffed ambulances down to five, with four of those staffed ambulances in the Development Areas. He said this is the point where they rely on CARS and the rest of the system to fill those gaps with ambulances and ALS services.

Chief Eggleston presented a slide showing the density of calls that the department experiences on nights and weekends. He indicated to the most active area in the County, which is the 29 North/Berkmar Corridor. He said second in volume to this is the Pantops area, then down the Urban Ring towards Monticello, and around again back to the area just west of the City. He said this was not surprising, as they could likely overlay the same map from the Police Department and other agencies to see exactly the same kind and distribution of calls. He summarized that the activity was centered around the urban area.

Chief Eggleston said looking at the density of calls responded to by CARS, Pantops is the busiest, followed by the Barracks Road/Georgetown Road area. He said this is related to the fact that the Berkmar ambulance (the busiest ambulance in the system) has over 30% concurrent calls, meaning that about one-third of the time, that ambulance is committed into another call, and a second ambulance from outlying district is dispatched to cover their calls.

Chief Eggleston said looking at the density map (which was strictly related to CARS), outside of Pantops, which is their first destination on nights and weekends, they still provide backup services to the 29 area, mainly around Georgetown Road.

Chief Eggleston said the most significant issue is the lack of ALS service provided by CARS, meaning that when CARS is dispatched in the County and they do not have an ALS resource or paramedic, a second unit must be dispatched to provide that service, putting a further strain on an already-limited system. He presented on the screen an ambulance stationed north of Charlottesville, which was the Berkmar ambulance, and then south of the city, which was the Monticello ambulance. He said these are the first and second-busiest ambulances, and if they get pulled (if they are available) to provide ALS coverage to back up CARS, then this leaves a further gap in the system.

Chief Eggleston said, looking at the daytime deployment model, it shows color-coded districts to define the districts each ambulance will respond to. He reminded the Board that during the day, in

addition to the other staffed ambulances, there is a staffed ambulance at Pantops, which covers the Pantops area and further east to the County line; and in Ivy, which covers the Ivy district and down south towards North Garden. He noted this is a large area.

Chief Eggleston said looking at the same example at nighttime, it shows that because those two ambulances go out of service at 6:00 p.m., the areas of responsibility for ambulances in Monticello and Berkmar dramatically expand. He said they are responsible for providing primary and backup ALS service. He said that, for example, the Monticello ambulance must do this all the way from the Fluvanna line to the Nelson County line, which is a very large area. He said the Berkmar ambulance (Rescue 18) goes far up to cover the necessary area as well.

Chief Eggleston said looking at the data from a response time point of view, the light areas on the map presented are the daytime model. He said in the daytime, the department's performance meets their response time goals in the Rural Area. He said at night, it inches up, with most of the Rural Area being beyond the goal of 21 minutes.

Ms. McKeel asked what the line on the map indicated.

Chief Eggleston replied that the line indicated the goal, and that during the day, they are able to achieve their goal in the Rural Areas, but at night, it inches up beyond the goal.

Ms. Mallek asked if this was the maximum time.

Chief Eggleston replied yes.

Ms. Mallek said if the line was smaller, it was good.

Chief Eggleston replied yes.

Chief Eggleston said in terms of the Development Area, while most areas during the day see a quicker response time, it is not statistically significant. He noted that they are likely to see, however, a number of issues arise as units get pulled from other areas for backup for ALS to CARS on nights and weekends, which is why they are seeing some of the activity. He said that in some cases, because of the demand, they could have ambulances crossing all kinds of districts trying to make up for the ALS service gap. He said this was why they would see skewed response time data.

Ms. Palmer noted that at the bottom of the screen, it said, "90% ambulance response time in minutes." She asked how this should be read.

Chief Eggleston replied that this information was saying that the response at the top of the screen, for instance, was 20.6 minutes, which is 20.6 minutes at 90% of the time. He said this meant that 9 times out of 10, they can get an ambulance on the scene in 20.6 minutes.

Ms. Palmer noted that many of the figures were less than that.

Chief Eggleston agreed. He said, for example, in the lighter-colored areas on the screen, they are able to get below the response time goal of 21 minutes, which means they are performing well and meeting (or exceeding) their goals in the Rural Area. He said on nights and weekends (indicated by the darker colors on the screen), they were exceeding those times, however.

Ms. Palmer said she was trying to figure out what the average time was.

Chief Eggleston replied that they used to record the response times in terms of averages, but they switched when they adopted the recent Standards of Cover performance to 90%, as it reflects performance more accurately than average time.

Ms. Palmer said that Chief Eggleston had shown a map of how the Monticello ambulance goes all the way to the Nelson County line. She asked if Scottsville Rescue was now staffed.

Chief Eggleston replied yes. He said it is still quicker for the Monticello ambulance to get to parts of 29 South, and it does for Scottsville to go out Route 6 West.

Chief Eggleston said it was important to discuss how the EMS cost recovery functions with CARS responding out into the County. He said currently, CARS bills for EMS transports under the City of Charlottesville system, which includes transports from County calls. He said about \$480,000 of annual revenues are collected by the City from those transports.

Chief Eggleston added that CARS bills County residents for any costs not covered by insurance, which is different from billing practices followed by the County ambulances and directed by the Board. He said this means they follow an insurance-only billing practice, as was directed by the Board some time ago.

Chief Eggleston said the department believes that staffing ALS ambulances at Ivy and Pantops 24-7 could fill the gap, as well as provide better service to County residents while being significantly offset by the revenue redirected to the County to offset those costs. He added that it will provide consistent insurance-only billing to all County residents.

Chief Eggleston said when options were reviewed to address the lack of ALS resources from CARS, an ALS chase car was considered in the model. He explained this meant they would staff one or two vehicles with a paramedic that could respond, along with CARS, to provide ALS service.

Chief Eggleston said the challenge with this solution, however, is that they are not able to offset the cost of this service by diverting EMS cost-recovery funds to the County. He said the fact is that the billing is tied to the ambulance that actually transports the patient to the hospital. He said in this case, even though they would provide ALS or a paramedic, the CARS ambulance would bill, and that money would go back to the City to offset the cost to provide support to CARS.

Chief Eggleston presented a comparison of the two models that were considered. He said that while the ALS chase car requires fewer FTEs, the fact that they are unable to offset the cost of that service through the collection of EMS transport revenue makes this option more expensive.

Chief Eggleston pointed out that the options both include two battalion chiefs (or EMS supervisors) for field supervision. He said during the daytime, there are two battalion chiefs on duty because they have more assets on duty during the day. He said at night, this drops down to one chief. He said if they were to deploy and staff up the two ambulances (Ivy and Pantops) during the nights and weekends, it is believed that this will exceed the span of control and will require hiring more supervision, with two battalion chiefs on duty 24-7. He said this also puts them into a position to align those resources with the ACPD districts as well, so there would be continuity there between Fire/Rescue and the Police Department.

Chief Eggleston said in terms of informing the FY 21 budget, Fire/Rescue recommends that during the development of the County Executive's budget, they plan to expand the staffing at Ivy and Pantops to include both of those ambulances being staffed 24-7. He said if this initiative was supported by the Board, the service could begin in July of 2021, which would allow for staff to be hired in July and train them so they can be deployed a year later. He recalled that from previous hiring processes, it takes a while to get people ready and conduct a paramedic class, as well as full recruit school.

Chief Eggleston said they would continue to work with ECC and the volunteer agencies to further utilize the BLS services, as they believe that the BLS services that, on occasion, get responses out of Earlysville and Pantops, are very valuable to the system. He said they believe there is an opportunity to better utilize those resources to keep the ALS resources in service. He said this means what they would do is respond to those BLS services, even across districts, to low-acuity calls to keep the capacity of ALS units in service.

Chief Eggleston said he had a recent conversation with the City about negotiating for the City for those BLS services out of CARS, in the future. He said he didn't want the Board to think that everything they would have in the future would be staffed with ALS because BLS serves a vital role in the system.

Ms. Palmer asked in addition to those positions, how many other positions Fire/Rescue was requesting in the current year's budget.

Chief Eggleston replied that it depended upon how the next part of the presentation would go. He said there is a request from Crozet Fire for daytime staffing, which would require hiring five additional staff. He said he had some options for the Board to consider that would curtail that request.

Ms. Palmer asked what additional requests there were outside of the ones being presented that evening.

Chief Eggleston replied they did not have anything outside of that.

Ms. McKeel said it was obvious that in the current world, volunteers were becoming a thing of the past. She said people have jobs and cannot leave their jobs to volunteer.

Chief Eggleston said that this was a unique situation in that while CARS is still very a robust volunteer organization, it is very hard to get a volunteer paramedic because the training requirements and skills required are arduous (adding it is a two-year program). He said to maintain this requires a person to be committed to go to continuing education all the time. He said unless they can find someone who works at the University Hospital or does this as a full-time job, it is very difficult for someone to have a job and do this work.

Ms. McKeel said she used to know many people at the hospital that did this, adding that it takes a toll.

Chief Eggleston agreed. He explained that Albemarle Rescue was doing well because many of their volunteers work at the University and are able to maintain their certification because of their tight connection with the University. He said their chief actually works for the UVA Medical Center, so he is constantly recruiting.

Ms. Palmer asked how many positions this involved.

Chief Eggleston replied it was twelve positions. He reminded that they anticipate being this offset quite a bit with the \$480,000 they will recoup from EMS billing.

Ms. Mallek asked if this would be less than half, theorizing that it could cost \$1 million to hire those 12 people. She said this has been the case in the past and that when they expanded to Ivy, for example, the cost went up much more than anticipated, as they had expected to pay for it out of savings and contract with the City.

Chief Eggleston said about \$480,000 was going to the City for EMS revenue and that Fire/Rescue believes there are some other cost savings in terms of the switch in the model bringing up the revenue to \$626,000. He said the net cost they anticipate would be \$327,000. He reminded that Fire/Rescue has met with OMB staff and County Executive staff to help vet those numbers, and so they have been verified by Andy Bowman. He said they work very hard to make sure the numbers were accurate before sharing them with the Board.

Ms. Palmer asked if this cost was just for staffing and did not cover all the equipment.

Chief Eggleston replied that because the ambulances were already purchased and in place, they did not anticipate any additional equipment outside of the equipment needed for the FTE support.

Ms. Palmer asked if the equipment needed for the FTE support was included in the estimate.

Chief Eggleston replied yes.

Ms. Price expressed that she was missing something in the math on the screen. She said taking the \$953,000 minus the revenue, it gives the net cost of \$327,000. She said if there is the \$551,000, there is no EMS revenue coming in, and she missed where the \$471,000 comes in.

Chief Eggleston replied that they had transposed this number incorrectly and that it should be \$551,000.

Mr. Gallaway asked if they could pull up the map that showed ALS on nights and weekends, also showing the districts that showed were currently covered. He asked if, when adding the two desired ambulances, it would shrink those districts.

Chief Eggleston replied yes and pulled up a map showing how the districts would shrink.

Mr. Gallaway said this would return them to what they have during the daytime.

Chief Eggleston replied yes. He said with this model, they anticipate that the concurrency of those calls they experience on nights and weekends will go down because there will be more ambulances in the system.

Mr. Gallaway said that then, in the case where a Berkmar ambulance who is on a call when they get called, either for primary or for backup, the other ambulances could fill in as the backup.

Chief Eggleston replied yes.

Ms. Mallek asked if there was currently staffing at Rescue 8 to use the station for an ambulance, if it is not staffed at home. She asked if it simply sat in the garage.

Chief Eggleston replied that the ambulance at Rescue 8 is staffed 24-7 with only one crew.

Ms. Mallek said they couldn't use the Earlsyville ambulance that is already paid for.

Chief Eggleston replied that they would not need another ambulance, as it is already staffed 24-7 with one crew. He said if Earlsyville has extra staff, they staff up their ambulance nights and weekends there.

Mr. Gallaway and Ms. McKeel expressed appreciation for the presentation.

Chief Eggleston said the presentation was put together by Chief Puckett and Damon Pettitt. He said these types of tools help to analyze the system and that in the presentation, GIS systems were utilized to model what it would look like if people were shifted or units were put in service. He said this makes the department more efficient in their deployment.

Chief Eggleston said he would shift the presentation to Crozet Volunteer Fire Department's request for supplemental daytime staffing. He said Crozet submitted a letter to ACFR requesting daytime staff, and their request centered around a couple things: the increased call volume related to the rapid growth in Crozet and the general lack of daytime volunteers working during those hours. He said they were feeling pressured and decided that before things got worse, they would step up and ask for assistance.

Chief Eggleston said Chief Dillon at Crozet has been a pleasure to work with and is a very proactive chief who established a great relationship with him. He said they have been talking about this request and planning for it for some time.

Chief Eggleston said Crozet has indicated that this is urgent for them because they are seeing further decline in daytime assistance. He said any help they can get, sooner than later, would be much

appreciated.

Chief Eggleston said historically, the Board has honored (without much hesitation) a volunteer fire rescue request for staffing, both in the rural and urban stations. He said as he was working on the presentation, he was reminded that one of the first departments that asked outside of Seminole was Earlysville. He recalled that Earlysville's request for daytime staffing was long before the Hollymead Station was even in the conceptual stages. He said they had a huge area to cover, all the way to the Greene County line, west; the Village of Earlysville, and the entire 29 north corridor.

Chief Eggleston said when he says that historically, the Board stepped up and gave staffing, he thinks that Earlysville was extremely justified because of the vast area they had to cover. He said they were one of the busiest stations the County had at the time because of the pure number of square miles they protected.

Chief Eggleston said in the system, in order to provide a three-person staff for engines on Monday through Friday, 6:00 a.m. to 6:00 p.m. (which is 60 hours per week), they would need to hire 5 FTEs, as those FTEs work a 48-hour shift, and so they need to over-hire a couple extra people to ensure that they have consistent coverage during the day during those times. He said in rough numbers, this equates to about \$400,000 in annual expenses, noting that this is a significant amount.

Chief Eggleston said the department considered many of their unmet needs in the County outside of Fire Rescue, and they want to discuss with the Board an alternative option that would lessen the financial impact and also fulfill Crozet's request.

Chief Eggleston presented a map showing where ACFR provides career staff for fire apparatus. He said some of those are in Monday-through-Friday volunteer stations including Earlysville, East Rivanna, Seminole, and Stony Point. He said they also provide 24-hour staffing for Hollymead, Ivy, and Monticello stations. He said this mixture, especially the daytime staffing, works well because when those staff leave for the day, they are met with volunteers who then staff nights and weekends.

Chief Eggleston pointed out that it was difficult to illustrate that the staff they have during the day at Earlysville also jump-staffs an ambulance in Earlysville. He said this means that if there is an EMS call, the staff come off the fire engine, jump on the ambulance, and respond to the call. He said they feel that because the call volume in Earlysville is slightly lower than what they see in urban areas, they are able to do this without putting citizens at risk from a fire call. He said this has been in place for a couple years and that he believes it has worked out quite well.

Chief Eggleston said considering an alternative to hiring an additional 5 FTEs, they considered modeling a scenario where they would move some of the daytime career staff from the Stony Point Station to the Crozet Station. He recalled that staffing was provided to Stony Point, which he was sure was well-justified at the time, but that as the County evolves and urbanizes, they now have staff in a rural station that runs roughly 300 calls per year.

Chief Eggleston said if they were to move those people from Stony Point to Crozet, this would leave a significant gap in the Rural Area. He said they also included a model of shifting the staff that are currently assigned to East Rivanna over to Pantops, which would allow them to cover both the majority of the urban areas in the Pantops area as well as respond up Route 20 to reach the rural area within a 21-minute response time.

Ms. Palmer asked what remained at Stony Point in this scenario.

Chief Eggleston replied that it is still staffed nights and weekends with volunteers. He said they sometimes see some volunteers around during the daytime. He said they would still have an equipment cache and support for Stony Point, but he was simply talking about trying to fill the gaps with the resources they currently have.

Ms. Mallek asked if they would be shifting two resources, at most.

Chief Eggleston replied it would be three.

Ms. Mallek said this was what was at Stony Point now.

Chief Eggleston replied that there are three, at minimum, there Monday through Friday, five days a week.

Ms. Palmer asked if they would take all of them and move them over to Crozet.

Chief Eggleston replied that this was correct, because Crozet also requires three-person staffing for their engine as well.

Chief Eggleston presented a map showing the call density or "hot spots," similar to the map presented earlier. He said with the EMS call volume, they could see that the call volume was in those urban areas, with the northern 29 and Berkmar area having the highest call volume, followed by the Pantops area being the second-busiest area. He noted call volumes were also high around the Urban Ring and in the north. He said on the map, Crozet was becoming darker in color as time goes on because the call volume was going up.

Chief Eggleston said recently when evaluating the deployment options, the adopted Standards of Cover were used to help guide some of the analysis. He recalled that the adopted Standards of Cover state that in the urban areas, the goal is to be on scene within 8 minutes, and to be on scene within 21 minutes in the rural areas. He said they used the GIS analysis to model response times from various station locations. He said they also used 2019 call data and modeled the responses using a two-minute turnout time. He said that turnout time is from the time the unit is dispatched to the time a unit marks in route and determines how far they can get.

Chief Eggleston said the GIS analysis shows that, with those units staffed in Stony Point and East Rivanna, 70.6% of the time they can cover those areas within 8 minutes.

Chief Eggleston said if they were to redeploy those assets, the analysis shows that they would actually be much more effective, and that it would jump to 96.2% in terms of covering those urban areas within the response time, noting that this was a significant change in service level without an increase in staffing. He said it was simply a matter of reshuffling the deck in terms of staffing.

Chief Eggleston acknowledged that this would not be an easy decision, but that he was suggesting this as an alternative to hiring 5 FTEs. He said he didn't want to minimize the fact that many people will be upset when they learn that they are considering moving staff out of where they currently are stationed. He said he was trying to be a good steward of the taxpayer funds and offer up alternatives to hiring people.

Ms. Palmer said Chief Eggleston was the professional and knew much more about the matter than she did. She said she seemed to remember a lot of concerns about Hammocks Gap and people being concerned about losing the ability to get EMS on that road. She asked what effect the model would have on the area near Orange County.

Chief Eggleston replied that one of the issues related to Hammocks Gap that has been corrected was the bridge. He said there was a bridge partway up the road that was rated with a very low rating, so Fire/Rescue couldn't cross it. He said the bridge has now been replaced, and there is now full access to that road. He said he would demonstrate how far they could get from Pantops up Route 20 to cover those areas within the 21-minute response time.

Chief Eggleston presented a map showing the density in the Rural Area. He pointed specifically to the dark area just outside of 29, noting that this was a busy area. He said the data could be slightly skewed, as The Colonnades were just outside of the Development Area. He said another dense area was Ivy because this is the densest Rural Area of the County. He said the 250 corridor between Pantops and Glenmore is another busy area, mainly due to traffic accidents.

Chief Eggleston presented a map showing how far Fire/Rescue can get in its current configuration within the 21-minute response time. He said it shows that there is ample coverage in the rural area with the current deployment model and, in fact, they penetrate substantially into Fluvanna from East Rivanna because of the current staffing.

Chief Eggleston presented a map showing what it would look like if they were to redeploy those staff that he mentioned earlier to Crozet and Pantops. He said it was much like the Development Area performance, though not quite as significant. He said the ability to cover the area actually jumps slightly, and it shows that they can reach the high majority of that rural area that was formerly covered by the staff at Stony Point within that 21-minute time.

Chief Eggleston said there is a small sliver of area near the Orange County line that they cannot reach, but that he would like to believe that they can approach Barboursville in Orange County and work out a mutual aid arrangement where perhaps they could cover that small sliver.

Ms. Mallek asked if the Proffit Road railroad bridge was still an obstacle.

Chief Eggleston replied yes, adding that its weight limit is still at 16 tons.

Ms. Mallek said this prevents Station 12 from going east.

Chief Eggleston replied yes, noting that this was a good point. He said the backup for Stony Point currently comes from Seminole, which goes up Polo Grounds Road, cuts through, and goes in that way. He said in this case, with the new model, what would happen is those staff previously at East Rivanna would be at Pantops, and that they would turn and go up Route 20 to get to Stony Point. He said it would then actually be much quicker to get up to Stony Point than what they have with Seminole.

Ms. Palmer asked what effect this would have on the volunteer situation at Stony Point.

Chief Eggleston replied that he was not sure. He said he didn't think they would be happy about it because the career staff provide much more than just coverage. He said they help maintain the station and keep it clean, among other things. He said he intended to give the same presentation the following week to the FEMS Board to full inform them. He said he has talked to the chiefs of Stony Point and East Rivanna before the meeting that evening to let them know what he would be talking about. He said although he didn't think their response would be favorable, he believes they would appreciate the desire to try to work with what they have versus asking for more.

Chief Eggleston summarized that he would like feedback from the Board about reallocating personnel, and if those new positions should be programmed in the FY 21 budget. He said for him, it was a difficult decision, but that it was strictly an alternative to hiring the 5 FTEs that were needed for Crozet.

Chief Eggleston said that Crozet's request was highly justified, and that their chief has done a wonderful job working with him to look at the data and determine the gaps that exist. He acknowledged that Crozet is a booming area, and that the lack of service concerns both the volunteer chief there as well as himself. He said some action would have to be taken, whether or not resources or hired, or reallocated.

Ms. Mallek asked for the schedule for having trained staff ready to go to Scottsville. She said she knew Chief Eggleston was working for months to get those people released.

Chief Eggleston replied that they were already there and working.

Ms. Mallek asked if this section, then, was taken care of.

Chief Eggleston replied yes. He said the resources have been there since October and providing service. He said it was much appreciated, as he has talked to many of the residents in Scottsville about this because of the blowback and situation with the Scottsville Volunteer Rescue Squad, and that the residents were very satisfied with the service they have now.

Ms. Mallek said she had asked because she didn't know if this was new staff or being drawn from the rest of the cadre.

Chief Eggleston explained that this was a combination of the recruit school that graduated, as well as the in-house paramedic class that the Board had supported, noting that this had worked out well.

Ms. Mallek asked if the transfer alternative was done, if this would mean staff could be in place sooner than waiting for 1.5 years.

Chief Eggleston replied yes. He said another advantage of this option is that it will get the staff there in Crozet quicker. He said he and Chief Dillon often talk about this. He said he understood Chief Dillon's situation, adding that he informed him of what would be discussed at the Board meeting so that he could be prepared.

Ms. Mallek said they had worked hard to get all the experienced members to come out and talk about this to make sure there was support amongst the company members, which she admired. She said Earlysville's request for service happened immediately after the Murray plant closed. She said the Murrys gave land to the Earlysville Fire Department on which the station was built but when they closed down, John Sweeney and all of the others who were volunteers left. She said a similar situation happened in Crozet with J.B. Barnes and that they had 65 employees, 40 of which were volunteers, and when their jobs disappeared, they also left Crozet. She acknowledged that transition is hard.

Ms. Palmer asked if there was an in-between option. She asked if there had to be three resources at Stony Point or if there could be two.

Chief Eggleston replied that a number of options were investigated and currently, three resources is the minimum standard for a fire engine across the Board. He said in many departments, four is actually the minimum standard. He said they looked at trying to change this in some way, but that they feel they cannot do that without compromising the safety of the staff and volunteers. He said they feel it must be a whole cell transfer, if they choose to do this.

Ms. Palmer said she was interested to hear what the FEMS Board would say about the coverage. She said she understood the reasons why and that it all sounded reasonable. She recalled Chief Eggleston's mention of possibly having an agreement with Orange County, stating that she wanted to make sure the people in that area were covered.

Ms. McKeel asked if Ms. Palmer was referring to the Stony Point area.

Ms. Palmer replied yes.

Ms. McKeel asked if there were three full-time resources at Stony Point, and how many calls they receive per year.

Chief Eggleston replied that they receive about 300 calls per year.

Ms. Mallek said this was fewer than one call per day.

Chief Eggleston agreed.

Ms. McKeel asked if it was three full-time resources.

Chief Eggleston replied that there were actually five assigned to the station in order to maintain three people five days a week.

Ms. Mallek said WARS (Western Albemarle Rescue Squad) had 2,000 calls in 2019. She said the process was painful for her because she has been through 12 years of these battles, but that Chief Eggleston had created a compelling argument to proceed with this.

Ms. McKeel said she appreciated the work Fire/Rescue has done and the outreach in trying to figure this out. She said Albemarle is a growing County and that they simply cannot keep things the same. She said at times, they will have to be able to go back and rework things. She said she was thrilled that they had the technology to help them with this. She said who knows, if they made the change, they may need to be coming back in 3-4 years and doing something else differently.

Ms. Palmer said they knew where the process was going eventually, but it was a matter of how to get there and how fast they could get there.

Chief Eggleston said this was something to consider. He said if they were to make the change, the Board always had the option to go back and add staffing back to Stony Point. He said the challenge was that they inadvertently enhanced the Rural Area when they put staff at Stony Point 20 years ago. He said no one knew 20 years ago that they would be where they are today. He said unfortunately, the citizens have become accustomed to that level of service and now, they were going to remove those people. He said he understood the concern, but that it was a matter of where they apply a limited amount of resources.

Ms. McKeel expressed that people in the Rural Area (especially far out) are told about the differences in service between this and the Development Area.

Ms. Palmer said she wanted to make sure everyone was covered, and that Chief Eggleston said he believed he would be able to have an agreement with Orange County. She asked how this would be done and how long it would take. She said she would feel more comfortable as well in hearing what the FEMS Board would have to say. She acknowledged that changes would have to be made.

Ms. McKeel asked if the Board was expected to vote that evening.

Chief Eggleston replied that he only wanted to receive the Board's feedback for the County Executive to begin to put the budget together for the next year.

Ms. Price said she had a chance in the previous week to receive much of the presentation as an indoctrination orientation to the Fire/Rescue programs, adding that she appreciated all the work and evaluation done on this. She said in representing a large, very rural area, if they have to come up with the money to hire other resources, they should do so. She said in covering 90% of the people, this would not help the 10% when they needed emergency services. She said she herself has needed EMS at her farm, and that EMS saved her contractor. She stressed that they must make sure that there is adequate coverage throughout the County.

Ms. McKeel said she felt that Chief Eggleston was proposing something that would provide adequate coverage. She said she didn't think he was slighting anyone.

Chief Eggleston said there is a compromise in any solution like this, and that it was a matter of risk management. He said in some cases like this, there will be people who have less service, and that he was very empathetic to that.

Mr. Gallaway asked if Chief Eggleston was looking for feedback on which option should be selected. He said he wanted to be careful with that, as the Board was not voting, but in some ways, they were. He asked if there was a way to keep both running so that they could look at the costs for each option and be discussed through the budget time, as they see what the resources are. He said the Board often has to make decisions but that it was difficult to say which way they would lean until they are able to see other factors.

Mr. Doug Walker (Deputy County Executive) said the presentation was structured to be in two parts, with the EMS focus first and then the Fire focus. He said although this is one system, the issues that they are confronting are different, with respect to the change in circumstance in CARS and how that impacts EMS coverage within the Development Area. He said there is the other matter on the Fire side that the needs in Crozet.

Mr. Walker said that from a budget standpoint, the numbers that the Board have seen are only related to the solution for EMS in the Development Area (the 12 positions), with the offset of the revenue recovery.

Mr. Walker said the solution with regard to how to deal with the request for daytime career staffing at Crozet is the unanswered question from budget because the only thing that the Board has seen is a proposal to reallocate existing resources. He said with input from the Board, staff could model what it would look like to maintain the services they currently have and then provide the staffing, noting that it would be around \$500,000 to put a crew of 5 career staff for 60 hours a week at Crozet.

Mr. Walker summarized that the issues were related, but they were very different issues.

Ms. Mallek asked if this was because the Pantops estimate (\$950,000) was for 24-7.

Mr. Walker replied that it was 12 resources with the offset of revenue recovery because of the ALS transport. He said the Fire side was different because they were not transporting, so there is no revenue associated with it. He said it is also 60 hours for daytime, weekday staff.

Ms. McKeel said it sounded like they should look at the issues separately and perhaps give some direction separately on the issues.

Mr. Walker replied that he was setting it up that way to help the Board, and then the County Executive, and receive what input the Board could provide with respect to how to deal with the EMS issue, which has been modeled in the five-year plan. He said the Fire issue had not yet been modeled. He said as they put the budget together over the following couple weeks, they will need to determine whether or not this is included in the County Executive's recommended budget.

Ms. Price said she trusted that they were recognizing the continued negative impact of eligibility and availability of volunteers, and that the budget and plans, moving forward, are planning for hiring more full-time staff to offset the loss of the volunteers. She stressed that they must have this.

Ms. McKeel said this got back to her earlier point that volunteers were becoming scarcer. She expressed that this would not improve in the coming years.

Chief Eggleston said that in terms of the map that showed the small sliver at the top, near Orange County, they looked into the actual calls in that area, and that there were less than five that happened there. He said it was a very small sliver of area they could not reach within the 21-minute timeframe.

Ms. Mallek asked if there was a distinction between Fire and Rescue on those five calls.

Chief Eggleston replied that he did not immediately recall. He said another thing that was challenging in that area is that often, with many of the roads there, one has to drive into Orange County, go down Route 33, then drive back into Albemarle County, so it is challenging for a number of reasons.

Mr. Gallaway said what he was hearing Mr. Walker say was that Fire/Rescue would make the recommendation to the County Executive, and the County Executive then needs to consider all the information relative to everything else before putting in the recommendation. He said the Board should not be inserting itself into that decision process. He said Fire/Rescue must put forth its best recommendation up through the chain, and then when the Board gets to it, they have now had time to take all the information into account and will be better informed when they actually make the budget call. He said he didn't want the Board to request putting things into the recommendation, as that was now how the process works.

Ms. Mallek agreed this was perhaps true for the budget process, but that for the policy process, this was different.

Mr. Gallaway said the Board is able to consider it with resources, and that this was perfect timing for the Board to do that.

Mr. Richardson asked to focus on the second part of the presentation. He said what stood out for him in the presentation was that by reallocating existing resources on Fire/Rescue, the County gets a coverage increase in the urban area from 70% to 96%. He said this was an excellent example of him challenging the department to create capacity with the existing resources they have. He said they have done and modeled that.

Mr. Richardson recalled Ms. Palmer's comment that she would like to hear what the FEMS Board would say in the following week. He agreed that this was a critical stop along the way, as the volunteer districts are their partners. He said with the Supervisors being elected out of the Magisterial Districts, they will hear comments from the community leading up to the following week and thereafter.

Mr. Richardson said he believed this was the best effort to solve a problem with the resources they have, given that they do have a very constrained environment in terms of the budget. He said if they do not look at solving this with the existing resources, and they have to allocate additional positions in the budget, it will be at the expense of something else that is a very high priority that they may not have an alternative solution for. He said he was stating this without seeing or knowing what some the competing interests were.

Mr. Richardson said he was appreciative of the Board taking the opportunity to see the presentation and realize there were some tradeoffs. He reiterated the fact that in the Urban Area, they will go from 70% to 96%, and in the Rural Area, 86% to 90%. He reminded that 90% was what they sought to achieve across the system.

Mr. Richardson said that the matter on the EMS side did have a price tag, which was vetted. He said they would continue to work on this as they go through the budget process. He reminded that this is 12 staff that would be subsidized by the revenue that would be coming in.

Ms. Mallek said that 78% of the action was Rescue as of late, which was the absolute most important place to be placing their investments. She said she found it compelling, and that the EMS proposal made sense. She said she was bothered when she heard about the way the billing currently was being done for County residents. She said it was a huge benefit to have citizens having the

insurance-only billing, which they worked hard to achieve.

Ms. McKeel remarked that she thought it was already like this.

Ms. Mallek said the time savings of being able to do something more quickly with the alternative staffing model was much appreciated.

Ms. Palmer asked what the response time for EMS for the area in the corner of the map (near Orange County) was.

Chief Eggleston replied it was 21 minutes in the Rural Area for 90% of the time, for both EMS and Fire.

Ms. Palmer asked if even in the upper indicated area, it was 21 minutes.

Chief Eggleston replied yes.

Ms. Palmer asked if they made the staffing change, that EMS would not change because it was Fire they were talking about at Stony Point.

Chief Eggleston said to keep in mind that the staff they have at Stony Point can respond to both Fire and EMS because they are EMS-trained firefighters and often have the paramedic there as well. He said the community will see a downgrade in service but considering the goal of 21 minutes in the Rural Area, they see very little change in running those resources up from Pantops.

Ms. Palmer again said she was looking forward to what the FEMS Board would say.

Ms. Mallek asked if Chief Eggleston had received enough guidance.

Ms. McKeel said the last time they talked about EMS services, they were discussing how, for example, at Pantops, there are so many retirement and nursing homes. She said it seemed like they were using 911 for many of their transports. She recalled that Fire/Rescue was going to work with those places and asked if Chief Eggleston could provide an update on that situation, noting that the situation does take up a lot of the responders' time.

Chief Eggleston replied that skilled nursing facilities are facilities that have people over the age of 65 and tend to generate the majority of the EMS calls. He said on occasion, there are situations in which EMS will arrive to treat a patient, then realize it is a very low acuity call. He said some of this is related to the lack of private ambulance service in the area that transports patients from the skilled nursing facilities to the hospital. He said they do not want to wait 2-3 hours, so they call the doctor back, who tells them to take the patient to the ER, which is why EMS is called.

Chief Eggleston said that in some cases, when they feel that it is abusive to EMS, there is a system in place where they meet on a regular basis with the managers of those facilities. He said they show the managers the data and have a discussion. He said there was a time where the situation was bad, at one point, and that Fire/Rescue has an option to fine the facilities, if they choose to continue down that path. He said he believed this gets the facilities' attention. He said they were still at the table together and making good process, but in general, the facilities tend to drive up calls.

Chief Eggleston said as the Board discusses future consideration for skilled nursing facilities, he would like to see a process whereby Fire/Rescue can explain the impact on Fire and EMS. He said the current estimate was that they want a call a day, or a call a year per bed. He said that, for example, a 300-bed facility will generate, on average, about 300 calls a year for EMS. He said there is an impact in terms of public safety, but that this was not unusual for a facility that houses elderly people.

Ms. McKeel said what she heard from Chief Eggleston was that just as the Board receives impact statements when reviewing zoning and land use, perhaps safety and EMS services should be included in that.

Chief Eggleston replied yes.

Ms. Mallek asked if there was a process change needed, as Chief Eggleston was already present at the Site Review Committee.

Chief Eggleston replied that Fire/Rescue provides input to Community Development and developers through adherence to the state-wide Fire Prevention Code. He said it was more about fire than it was the impact on EMS, and that perhaps broadening the review to include an impact on EMS would be advantageous.

Ms. Mallek said this would likely be something that could be done administratively.

Ms. McKeel remarked that this would be a great thing to add.

Ms. McKeel said she understood from the report that the Berkmar facility was over capacity. She said there is a lot of talk about the Georgetown/Barracks Road/Commonwealth area, as she knew that Chief Eggleston and Mr. Ron Lance (Police Chief) have talked about how much of their time is spent in

that urban ring area. She said if this area were to be outlined on a map, it would fall in an opportunity zone area. She said she would think the Board would be wise to at least consider and discuss what a Small Area Plan would look like in this area, and if it would help Chief Eggleston's situation.

Chief Eggleston said they tend to see that when the quality of life increases in an area, the calls for services goes down. He said anything they could do to curtail those costs of service through planning and support of various methods, including housing, would only benefit Fire/Rescue. He said like the method of responding BLS units to low-acuity calls, they are looking as much as possible to provide service in the most efficient way possible, and that helping the neighborhoods become healthier and more vibrant would be one of the best options.

Ms. McKeel said this could be an efficiency piece that ultimately would help Fire/Rescue and Police at the same time.

Chief Eggleston agreed.

Agenda Item No. 20. Avon Street Extended Corridor Plan.

The Executive Summary forwarded to the Board states that in 2017, the Albemarle County Board of Supervisors approved the Neighborhood Improvement Funding Initiative. This program directed FY 16 funds to the County's Development Areas through an inclusive, community-driven process that allowed the Community Advisory Committees (CACs) to identify small-scale, quality of life improvement projects for their community. The 5th and Avon CAC decided to use a portion of their allotted funds to undertake a Corridor Study for the Avon Street Extended Corridor. The Board of Supervisors approved this project with the hope that the format could serve as a model for future corridor studies and with the understanding that this plan would not result in a Master Plan update for the Development Area. The intent was for the plan to result in transportation related recommendations to address specific issues or needs in the corridor which would inform potential grant applications for improvements and a future Master Plan update.

Through interactive exercises with the CAC, specific issues were identified that the community felt important for the Corridor Plan to address. These included: lack of consistent bicycle and pedestrian facilities, lack of a cohesive theme, both in the corridor and in the adjacent land uses, traffic calming needs, and poor operations at specific side-street movements.

In late Summer of 2018, the firm of Line + Grade Civil Engineering was contracted to develop the plan.

Line + Grade, along with County planning Staff, attended each CAC meeting between December 2018 and March 2019 to collaboratively develop a Vision for the Avon Street Extended Corridor. The project limits were the City Line to the North and Route 20 to the South. The process allowed a high level of community interaction to inform recommendations. The initial recommendations were presented to the broader public at a meeting in May of 2019. Following that meeting, the input received resulted in some adjustments to the overall recommendations and the identification of three priority projects to focus on. These priority projects include:

- Pedestrian, bicycle, landscaping, and traffic calming improvements between Mill Creek Drive and the Army National Guard Site.
- Pedestrian and bicycle improvements between the Army National Guard Site and 5th Street Station Parkway, including a new pedestrian and bicycle bridge over I-64.
- Intersection improvements at Mill Creek Drive and Avon Street Extended recommended as a roundabout to address pedestrian and vehicular safety issues, vehicular operations, and traffic calming.

The final plan was presented at the CAC meeting in September 2019 with additional outreach inviting the public to attend. One issue that was discussed at that meeting was the new entrance to Biscuit Run. This entrance is being designed through a separate process for the Biscuit Run Master Plan and so it was determined that the Avon Street Extended Corridor Plan should be careful in its representation of this design. Staff and the CAC decided to remove this from the limits of the Corridor Plan to leave the final design open to the results of the Biscuit Run Master Plan design process.

At the November 5th Avon Community Advisory Committee meeting the CAC voted unanimously to endorse the plan to the Planning Commission and the Board of Supervisors.

At the December 10th Planning Commission Meeting the plan was unanimously endorsed for forwarding to the Board for its approval. Members of the public were given the opportunity to comment on the plan. The Planning Commission had minor clarifications and recommendations that it desired to see in the plan which have now been made. The Planning Commission Staff Report is included as Attachment A and the Draft plan presented to the Planning Commission is Attachment A1. Minutes from the Planning Commission Meeting are also included as Attachment B

The Revised Draft Plan is included as Attachment C.

Staff recommends that the Board review the attached Revised Draft Plan (Attachment C) and

provide direction to staff on the following questions:

Are the proposed Recommendations consistent with community feedback and the Comprehensive Plan's objectives? Are any topics missing?

Does the Board have any questions or concerns about the Plan?

The Board is welcome to endorse this plan now if it feels it is appropriate or, if desired, staff can make any requested changes and return with the Final Draft for approval at a later date.

Mr. Kevin McDermott, Transportation Planner, presented. He said he would present a work session on the Avon Street Extended Corridor study, noting they were essentially through the planning process. He said this was being brought to the Board so that they could talk through the process and the results of it, as well as to receive feedback from the Board. He said it would be up to the Board if it wanted to approve the plan that evening, or if there would be things that required further work.

Mr. McDermott reminded that this was a project that began in 2017 under the Neighborhood Improvement Funding Initiative (NIFI) program. He said the 5th and Avon CAC (Community Advisory Committee) had decided that they would like to use the money allocated to that area to develop a corridor study for the Avon Street Extended Corridor (from the City line down to Route 20). He said it took some time to get the study going, but that this was kicked off about a year later, in 2018. He said they hired the firm Line + Grade to develop that plan, noting that Mr. Daniel Hyer from the firm was present in the audience and was available to answer any detailed questions. He credited the graphics in the plan to Mr. Hyer.

Mr. McDermott presented a diagrammatic view of the project outline, noting that the red lines showed the amount of activity that was happening in the planning process from the beginning, starting with the Listening Phase, then the Defining Phase, Developing Phase, Delivery Phase, and Impact Phase. He said those titles guide the conversation and the plan.

Mr. McDermott said the Listening Phase involved getting out into the community to find out what the issues were, as well as ideas. He said there was a great deal of stakeholder and public feedback, indicating to a list on the screen of some of the outreach efforts, which included 8 CAC meetings, numerous stakeholder meetings, and two public meetings. He said the 5th and Avon CAC endorsed the plan in November, and the Planning Commission endorsed it at their December meeting.

Mr. McDermott said during the Listening Phase, they heard four main areas of concern from the public. He said they focused on safety, including safe pedestrian routes and crossings, and safe bicycle routes. He said another focus was on aesthetics and character of the corridor, as well as the residential feel that has been growing there. He noted that the area was an Entrance Corridor at the time the project was started, and another concern from the public was that the County continues to keep with Entrance Corridor standards.

Mr. McDermott said connectivity was another area of concern, including connectivity to areas within the corridor and to areas outside of it. He said this included bike/pedestrian and transit. He said the fourth area of concern was the functionality of the corridor. He said there is much more traffic along Avon Corridor Extended with the many developments, and that there is also additional delay in vehicular travel. He said they wanted to account for the traffic demand increase for the future developments, including Biscuit Run Park at the southern end of the corridor.

Mr. McDermott said the next phase was about defining the corridor, which was an opportunity to collect data and information about what was going on out there, and identify the context of the corridor (suburban, retail, parks and trails, institutional uses, and residential). He said they looked at some of the logical connections, both interior and broader, in the area. He indicated to those connections on a map, explaining they included vehicular, bike/ped, and potential future connections.

Mr. McDermott said they then began to identify how the corridor was built. He said the transitions happening from urban to rural, and from new to old, as well as all the land use changes that he mentioned were broken up into different phases.

Mr. McDermott said a diagrammatic representation of the corridor was put together that showed some of the different project opportunities that were being researched. He said potential funding sources were also identified that could help some of those opportunities to move forward.

Mr. McDermott said all of this was then put together and delivered as a plan to the public at a large public outreach meeting. He said this was broken up into the southern, central, and northern areas, and that the public was welcome to look at the recommendations and provide feedback. He added that this was a successful meeting. He said the public also voted on some of their priorities or concerns. He said there was chance for the public to write on the map and do some of the planning, and that a matrix was provided to have the public vote for their priorities in the corridor.

Mr. McDermott said that at the same time, there was also an online survey going on, and that all the information was taken and compiled from the public meeting and online survey. He indicated on the screen to what were the highest priorities. He said using this, projects were identified that were deemed ones to move forward with.

Mr. McDermott said finally, the impact of the projects and plans for the corridor were examined to determine how they would affect the different factors that were being considered during the plan development, including safety, character, connectivity, and sustainability. He indicated on the screen to a list of some of the ways it would address those concerns. He said the enhanced intersections for safety, reducing speeds, and the character had much to do with the additional landscaping that was included and potential utility relocations.

Mr. McDermott said connectivity was primary because they would need to ensure there are consistent bike/ped facilities from the northern end all the way to the southern end of the corridor (which do not currently exist), as well as the need to determine how transit could fit in and how vehicles are making broader connections.

Mr. McDermott said in terms of sustainability, increased green space, stormwater management, and street trees were all considered.

Mr. McDermott said he would go into further detail on the priority projects that were identified, as these would be the focus moving forward. He said priority project number one was pedestrian and bike improvements from Mill Creek to Peregrine Lane. He said some of the different impacts on safety and connectivity were identified, and that safety would be impacted by reducing lane width, adding traffic calming, and introducing buffered bike/ped facilities. He said sustainability would be impacted by the street trees, and that character would be impacted by landmark viewpoints. He said connectivity was the highest priority recommendation.

Mr. McDermott said the next highest priority was a pedestrian bike bridge crossing I-64, with an estimate of about \$4 million to construct that. He noted that this was the most expensive of the recommendations. He said there was a continuous buffered bike/ped facility planned, as well as additional street trees and more multi-modal opportunities to connect people in the southern development area to the resources they are trying to get to (e.g. 5th Street Station, or City for jobs). He said the character would be impacted with new iconic structured details, with the connection serving as an entryway into the southern development area, and the pedestrian bridge providing additional connectivity.

Mr. McDermott said the third project priority was intersection improvements at Mill Creek Drive. He said the proposal was to construct a roundabout there, noting that this was further out in the future. He said this was seen as a traffic calming feature for the area, and something that was a major concern for the public. He said this would improve the operations there well into the future for the intersection. He said there is a lot of new development going in, as well as High School Center II, and that this could produce future traffic volumes.

Mr. McDermott said one of the big concerns was people being able to make left turns where Southern Parkway hits Avon. He said the roundabout would allow drivers to instead of always having to make left turns, have the opportunity to make right turns during the A.M. peak hour by going through the roundabout and heading back into the City that way. He said this was a major sticking point for everyone dealing with the Southern Parkway, and that he believes this was addressed well with the roundabout recommendation.

Mr. McDermott summarized that the 5th and Avon CAC endorsed the plan at their November meeting. He said one thing the CAC wanted the County to look at was ensuring that this recognizes the questions related to the Biscuit Run Park entrance. He said originally, there was a proposal to include that intersection as a part of the plan. He said that because Biscuit Run is going through its own planning process, they are developing their own traffic study to look at that intersection.

Mr. McDermott said in the plan, this was removed to allow people to understand that this particular intersection had its own separate planning process. He said what they were trying to accomplish with this plan was make the future connections so that people can access the Biscuit Run Park with the bike/ped facilities and make sure that the rest of the corridor can handle the additional traffic.

Mr. McDermott said the Planning Commission endorsed the plan at its December meeting. He said the Commission requested that High School Center II was addressed in the plan. He said he met with the Schools department on that to figure out what potential traffic impacts could be related to the future center, which will be just off the corridor. He said he was confident that the recommendations in the plan, including the roundabout, would be able to handle that additional traffic as well as make the connections for bike/ped facilities from that area into the corridor, then up and down the corridor.

Mr. McDermott said a second recommendation from the Planning Commission was in terms of how to structure in the Impact section in the report. He said they wanted the functional areas where impacts were being made called out, such as the bike/ped improvements and the aesthetics. He said this was done with the different icons seen on the map with safety and connectivity, which pointed out what the real impact of each of those recommendations were. He said the Commission also wanted to make sure that the costs and potential funding sources were identified, noting that they were in the plan.

Mr. McDermott reminded the Board that he was bringing the plan to them for a work session. He said he wanted to receive feedback from the Board, and that he had some questions for the Board as to if the recommendations were consistent with what they were aware of in terms of the community feedback and the Comprehensive Plan's objectives. He asked if anything was missed or if the Board had any questions or concerns.

Ms. Price thanked Mr. McDermott about the comments about the traffic circle and how this can help reduce some of the incidents at Southern Parkway, particularly with people coming out during rush hour. She asked if part of the plan would consider making a right turn only from Southern Parkway onto Avon in the morning and evening rush hours to further reduce or eliminate left turns coming out of Southern Parkway and northbound on Avon during those peak travel periods.

Mr. McDermott replied this was exactly what was hoped for there. He said he wasn't sure if it would be restricted to say that left turns are not allowed, and that this would be something they would get more into the details of once the project moves forward. He said the idea was that, at the very least, they would provide the option for right turns.

Mr. McDermott said much of the problem was arising from the school drop-off there, with drivers dropping off their kids, going back out, and heading into town. He said those people will quickly realize that there is a new option to make that movement to get out on Southern Parkway and back on their way. He said there are already people who are doing that on their own by making a right turn and an illegal U-turn at Mill Creek Drive. He said he hoped that the project would give them an opportunity to make the movement in a safer manner. He said they would study the idea of restricting the turn legally, but at the least, the option would be given.

Ms. Price said the biggest concern from her constituents has to do with the traffic circle and that they question the expense tied in with that. She encouraged further discussion and explanation as to the benefits of that, as the more she has learned about the project, the more she sees the benefits of the traffic circle coming in.

Ms. Price asked if the crosswalk that was to be installed across from Cale Elementary school would have the flashing yellow lights there during school hours.

Mr. McDermott replied yes. He clarified that it would be a push button to activate it when someone is crossing. He said this project is already funded and is supposed to go under construction that summer. He said it wasn't detailed heavily in the plan, though they identified that it would be in place. He said the idea with this project was that it would be a rapid flashing beacon that will allow people to push the button, and that it flashes almost like a strobe light.

Ms. Price said as a parent of a child who was nearly killed in a school crosswalk in Virginia Beach, this was very significant. She said she has heard this from all the parents in the area. She said another thing was that her constituents were interested in continuing the path along the west side of Avon Street towards where Biscuit Run Park will be so that they would not have to cross back and forth over Avon Street. She said she believed this had been discussed in previous meetings.

Mr. McDermott said currently, what they do have is the crossing at Cale, and that the continuous shared use path was on the east side. He said they would continue to look at the options for getting it on the west side, noting there is a sidewalk that currently ends at Avon Park that is also already funded and will move forward. He said the problem was that they are trying to find projects that they can move forward with as soon as possible, and because of the cuts in fill in that road (as it drops steeply from the west), it was determined that it would be easier to make the continuous connection on the east side. He said this could be further evaluated as to whether the possibility exists for it on the west side as well.

Ms. Price encouraged Mr. McDermott to continue to pursue it to avoid having to unnecessarily cross over Avon Street on multiple occasions. She said other than this, she has been very impressed with the work that has been done and was pleased to see what was in the report.

Ms. Palmer said she felt like she had been to countless meetings about the topic and that she didn't have any more questions. She said the plan was great and that she appreciated all the work that was put into it, including the citizens meetings.

Ms. Mallek asked if the CAC sent a recommendation on the project to the Board.

Mr. McDermott replied the CAC voted to endorse the plan, as did the Planning Commission.

Ms. McKeel said the plan was great, and that she understood the need for it. She remarked there were many needs in the CIP for the County, and not so much money. She said what she was not sure about was where to go with the plan. She said the plan was intended to be developed so that the Board could have it and apply for grant funding. She said it was not going to jump the list of other projects already in the works. She said she was trying to get a clear understanding of what support of this means and where this was in the priorities.

Mr. McDermott pointed out that the Avon Corridor is one of the highly prioritized projects. He said one problem is that it is a very generic recommendation in the priorities and is simply adding bike-peds. He said they didn't have details as to what that project would be, but that the Board did agree for this corridor to be one of the places where they went with the Quality of Life funding that was approved. He said there is an amount of money that the Board had approved for Quality of Life to go towards a project in that area. He said the good thing was that now, there is an identified project that they can use that funding for.

Mr. McDermott said they would continue to look at it, but what they would probably move forward with is using that Quality of Life funding to provide the local match for a revenue sharing or transportation

alternatives grant in the upcoming cycle so that they can put it towards the number one priority. He said it should fit in that funding amount, which had been considered as the plan was being put together. He said this was the first step with moving forward with the project.

Mr. McDermott said the other steps were future projects that would be reprioritized next time they look at it.

Ms. McKeel said the projects could be pulled out and worked on as they go.

Mr. McDermott agreed. He said the next two projects were the bridge and the roundabout. He said he expected this would be the order the projects would come in, as this was the order they were needed in.

Mr. McDermott said the other opportunities presented were that as development occurs on the corridor, there is now something that the County can go to the developers with, and say that this is what they would like them to do in terms of making improvements on the frontage of their properties. He said this had been hit or miss in the past, where some people were asked for a sidewalk while others were asked for a right of way for a future facility.

Ms. McKeel said she wanted to be clear that the expectation was that the project was in the millions and that they were not paying for this with millions of dollars in place of something that is already scheduled for something else. She said there are many competing projects, including Hydraulic Road, and that she wanted to make sure she understood how this would happen.

Mr. McDermott said the first project would move forward out of the plan, and after that, it will be prioritized against all other projects.

Ms. McKeel said it was great to have the plan and that she appreciated the great work. She added that she could see the need for it.

Ms. Palmer said the CAC members have asked Mr. McDermott many questions about timing, and that he has been very frank and realistic about communicating possible timings on different projects.

Mr. Gallaway said he had a request that was not specific to the plan. He said there was an interesting exchange between Mr. McDermott and his Planning Commissioner relative to comparing (as this was the first corridor study that some were seeing) the process and costs for it, as well as the differences between this and a Rio Road Corridor study, or perhaps something in Crozet. He said he didn't need Mr. McDermott to speak to it there, as they could look at the minutes from the meeting, but that it may be interesting for Mr. McDermott to flesh this out in a memo to send the Board as a guiding document when it considers corridor studies in other areas.

Mr. McDermott agreed there was value in this. He said the idea behind starting with Avon was that it could provide a template for future corridor studies being considered.

Mr. Gallaway said it helped when Mr. McDermott was comparing and contrasting the differences between this study and what a Rio Road Corridor study would look like, as well as Barnes Lumber. He said hearing some of that was useful as the Board considers other projects.

Ms. McKeel asked how much the study cost.

Mr. McDermott replied that it cost about \$75,000. He pointed out that this did not include much of the detailed traffic analysis, as this wasn't one of the primary issues. He said whereas, when looking at Rio, this would be something that would add to the cost of the study. He said public comment was done at the meeting, and that one comment was that this would be a good template that could shorten the length of time to move through a future corridor planning process.

Mr. Gallaway asked if there were more questions, or if the Board wanted to endorse the plan.

Ms. Price said she endorsed the plan.

Mr. Gallaway asked if a vote was required.

Mr. Greg Kamptner (County Attorney) replied that a motion would be appropriate to approve the plan, which could help the County in grant applications.

Motion was offered by Ms. Price to endorse the Avon Street Extended Corridor Plan. Ms. Palmer **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

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

NAYS: None.

ABSENT: Ms. LaPisto-Kirtley

Agenda Item No. 21. **Ordinance to Amend County Code Chapter 4, Animals.** To receive public comment on its intent to adopt an ordinance to amend Chapter 4, Animals, of the Albemarle County Code by amending County Code § 4-319, Frequent or continuous sounds by animals are

prohibited. Section 4-319 makes it unlawful and a nuisance for an owner or custodian of an animal to allow the animal to frequently or for a continued duration howl, bark, or make other excessive or continuous sounds which are audible on the property of a complainant in the County. There are four classes of animal sounds exempt from Section 4-319, one of which is sounds "created by any animal located on a parcel five acres or more in size that is zoned Rural Areas district." The proposed ordinance would eliminate this exemption.

The Executive Summary forwarded to the Board states that County Code § 4-319 provides that it is unlawful and a nuisance for an owner or custodian of an animal to allow the animal to frequently or for a continued duration howl, bark, or make other excessive or continuous sounds which are audible on the property of a complainant in the County. There are four classes of animal sounds that are exempt from Section 4-319, one of which applies to sounds "created by any animal located on a parcel five acres or more in size that is zoned Rural Areas district." The Board has recently received complaints from constituents about nearby dogs barking incessantly, where the dogs are located on parcels larger than five acres in the Rural Areas zoning district and, therefore, Section 4-319 does not apply.

The attached proposed Ordinance (Attachment A) would amend County Code § 4-319, Frequent or continuous sounds by animals are prohibited, to eliminate the exemption for sounds from animals located on parcels five acres or more in size in the Rural Areas zoning district.

Any increased workload could be managed by existing staff.

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

Mr. Greg Kamptner, County Attorney, presented. He said the animal noise ordinance was requested by the Board after a number of citizens came to the Board complaining about incessant dog barking, primarily on parcels that were abutting the Rural Areas, or adjoining parcels that had barking dogs that were over 5 acres in size.

Mr. Kamptner said the draft ordinance that was advertised for public hearing would eliminate the exemption for parcels of 5 acres or larger in the Rural Areas. He said since the Board materials were circulated, the County has received a number of comments. He said in tracking emails primarily from that day, there have been a number of these, as well as the day before.

Mr. Kamptner said the comments could be lumped into four or five categories, with at least one that he saw in support of the ordinance. He said there were some that requested that the Board not make any changes to the current regulations. He said there were also a number of comments (likely the majority) that spoke in reference to the impact that the change would have on hunt clubs, and that a subset of that would pertain to the dogs that are kept in hunt club kennels. He said there was also one comment regarding working farm dogs.

Mr. Kamptner said he checked with the Police Department the day before and asked if they had received any complaints from barking dogs with respect to hunts. He said Lt. Terry Walls replied that he had no recollection of any complaints. He said it could be that because of the exemption in the Rural Areas, people didn't bother to complain.

Mr. Kamptner presented the proposed ordinance. He said what would not change is the requirement that the sound be excessive or continuous, and in the code, the sound has to continue for at least 30 consecutive minutes, with no more than a 5-minute continuous lapse during that 30-minute period. He said it also requires that either the police officer or the animal protection officer has to hear the violation, or the complainant needs to make the case in front of the Magistrate.

Mr. Kamptner said in light of the number of comments, he came up with some solutions. He said he could either go on to that next slide or wait until after the public hearing.

Ms. Mallek proposed they do the entire presentation first.

Mr. Kamptner said the exemption for the dogs on parcels in the Rural Areas on 5 acres or larger would go away, but that there would be an exemption created for game hunting.

Mr. Kamptner said he also checked with Zoning that day to find out whether or not hunt club kennels meet the definition of a commercial kennel in the Zoning Ordinance. He said it became clearer to expressly address kennels operated by a hunt club. He said the Board, in the prior iteration of the ordinance, decided to exempt commercial kennels, and that the proposal would add another class of kennels. He said Zoning told him they would treat the hunt club kennel as accessory to the primary hunt club use, and that it was easier to deal expressly with hunt club kennels in the regulations.

Mr. Kamptner presented the proposed changes, noting they would address the overwhelming majority of the comments received in opposition to the proposed ordinance.

Ms. McKeel expressed her appreciation to Mr. Kamptner for being responsive to the public's emails.

Ms. Palmer said that living in the Rural Areas a few years back, she had the misfortune of having a neighbor with a barking dog for seven years. She said this dog would bark every time she walked out

of her house, and in the wintertime, when the dog could see her. She said it was continuous and that she was miserable about not being able to walk in her backyard. She said she even tried ear plugs and other things to be able to enjoy her own property.

Ms. Palmer said the reason why she was bringing this up was because she knew she couldn't do anything about it, because the neighbor had more than 10 acres of land. She said she actually tried to record the dog for 30 minutes without a break. She noted how difficult it is to meet the bar. She said when she was thinking about hunt clubs, beagling, fox hunting and how that noise travels, it is typically not in someone's backyard and happening for long periods of time, but that it was something that was going across the countryside.

Ms. Palmer said she knew that some people have kennels that result in loud barking for a while. She said she didn't know the level of complaint, but that they had heard from people in Earlysville and that those concerns were real. She said in many of these situations, there needs to be more than one dog to meet the bar of continuous barking with no more than a 5-minute break. She said she thought the proposal was reasonable simply because it was tough to meet the standard.

Mr. Gallaway opened the public hearing.

Dr. John Booker introduced himself as a Master Chief Cryptologist, USN retired, having served in the military for over 30 years, with 15 years of active duty and 15 years as a dedicated civil servant. He said he is a resident of Ivy for 13 years. He said in looking at the County Seal, one thing he saw what they refer to as the scale of justice. He said he sees this as also a scale of fairness and equality.

Dr. Booker said his concern is a portion of the barking dog law, which states that under some circumstances, a property owner could face consequences if their dog oversteps certain boundaries or laws. He said he understood the support for animal control. He said he owns Jack Russell terriers.

Dr. Booker expressed that the portion of the law that concerns him was that it does not apply fairly to property owners, particularly those who own less than 5 acres. He said he sees the proposal as a possible racist or elitist regulation, showing great favoritism to more prominent members of the County, while underserving the poor and middle class. He said very few average people could buy or own 5 acres of land, and that very few racial minorities could afford 5 acres or more. He said even if two 5-acre owners have dogs, this was no sign that the dogs cannot live within 10, 20, or 50 feet of each other. He said this was masking the elitism and institutional racism.

Mr. Gallaway ensured that if Dr. Booker had written remarks, they would be submitted into the system, as he was out of time.

Ms. Price thanked Dr. Booker for his service.

Ms. Sherry Buttrick (White Hall District) said the proposal had the potential to make it impossible to keep hounds or dogs in kennels in Albemarle County, not simply because the hounds make a sound when they hunt (which was a fleeting kind of sound), but primarily because they are kept in kennels, which can result in a more sustained sound. She said there were also sounds that result from livestock-related agriculture.

Ms. Buttrick said she had a formal pack of hounds with several hundred members, as do the two fox hunting clubs, although there is a real continuum as to what a hunt club is. She said they do not, for example, have a hunt club facility with other forms of activities. She said they are simply a club of hunters, and that there are less organized hunts that have even less infrastructure than they do who may not be covered under Mr. Kamptner's amendments. She said she appreciated Mr. Kamptner's attempts to cover the constituents' problems.

Ms. Buttrick said hounds in kennels simply do bark. She said they bark at feeding time, and when the deer come out at dusk. She said they bark when people come by, and bark when a coyote goes slithering by and provokes them. She said keeping hounds or dogs is an integral part of life in the country, and that it was unjust for the Board to intrude into traditional country life because there are a few neighborhood disputes, no matter how legitimate they may be.

Ms. Buttrick said the exemption was originally designed to take into consideration the difference between the country and the suburbs, and that it should not be lifted. She said the Board needs to better differentiate between what is appropriate in the growth areas and what is appropriate in the Rural Areas.

Ms. Buttrick said she spent decades advocating before the Board and elsewhere for rural land conservation and growth management. She said this was the sort of thing that is visited upon them when that effort is insufficient, and so she would ask the Board to redouble its efforts.

Ms. Buttrick added that the information for this meeting was insufficiently disseminated. She said she spoke with the president of the Farm Bureau when the Farm Bureau had a meeting the night before and he had no idea that this was afoot. She said no one reads the legal section of The Daily Progress. She said the emails the County sends out does not have the same information as is in the written statement.

Mr. Tom Bishop said he agreed wholeheartedly with some of the proposed ordinance. He said he has dogs, and that some of them do bark at night, generally because they have been provoked. He

asked if someone would like to tackle shutting up the coyotes that bark all night long, and the answering dogs that bark after them, that would be a great idea. He said that unfortunately, it is dealt with on a pay scale much higher than anyone there.

Mr. Gallaway closed the public hearing and brought the matter back before the Board for further discussion, questions, and comments.

Ms. Palmer said she heard the coyotes at night, but that they go about 15-20 minutes, stop for a while, and start again. She said they are also not usually in her backyard. She said what the Board was looking at was the egregious situations where there is someone living next door that is not working with the complainants. She asked if there was any idea as to how many complaints are made about barking dogs in the urban area.

Mr. Kamptner replied that this may have been one of the numbers included in Lt. Walls' annual report from November.

Ms. Palmer said she didn't believe there were many complaints, especially since one has to record the dogs and go to the Magistrate.

Lt. Walls said he didn't have the numbers with him, but that it was not a significant number of complaints. He recalled there was only one charge for barking dogs during a one-year period where the summons was obtained.

Mr. Gallaway asked where this occurred.

Lt. Walls replied he did not know the location.

Mr. Gallaway said it would have obviously happened in the growth area.

Lt. Walls agreed.

Ms. Palmer asked, with respect to the recording, if the person complaining would make the recording and give it to the police, or if someone official would have to go out and record the barking for 30 minutes.

Lt. Walls replied that a recording was not necessarily a requirement, but that it was a matter of someone being able to testify that the barking went on for 30 minutes. He said it is good evidence for a citizen to have a recording, but if an officer has not observed that and been there for the full 30 minutes or the entire time that the dog was barking, the citizen would be required to go before the Magistrate, and the officer could not go on behalf of them.

Ms. Palmer said it would then be a matter of the two residents arguing about whether the dog barked for 30 minutes.

Lt. Walls replied it could be, and that this would be one of the reasons that someone would record it so they would have some type of evidence. He agreed it was matter of testimony, and then a judge hearing and deciding what they believe to be the truth.

Ms. Palmer asked if the Police Department would know about this if it happened because the resident would call the police first.

Lt. Walls replied that this would not necessarily be a requirement. He said a citizen could go to the Magistrate without calling the police, but that he would imagine most times, people would call and have an officer come out. He said if the police responded, they would take a report. He said if the officer hasn't been there for the 30 minutes or observed it, however, it would simply be the documenting of the report.

Ms. McKeel asked Lt. Walls what the most common complaint was around dogs.

Lt. Walls replied that it was likely running at large.

Ms. Palmer said her feeling about this was that if they did this to take care of the egregious cases, if it became abused (assuming the hunting dogs would be excluded), the Board could always come back and change it.

Mr. Kamptner confirmed this.

Ms. Palmer said it seemed like this happens so infrequently and that they were just after a few bad actors. She said she would like to hear from other Board members, and that she was not crazy about putting in the ordinance because she recognized the difference between the rural and urban areas. She said on the other hand, there were some bad actors and they had to have some tools to prevent that. She asked if there was another tool to deal with the matter, noting that this had been discussed in the Earlysville situation.

Lt. Walls replied that if the police receives a call, there are many times a reason why the dog is barking. He said any time the animal protection officers go out, they are not only looking for the dog

barking, but are looking for any underlying reasons such as welfare, shelter, or tethering issues. He said there were many other code sections that would apply to having animals, and the officer is looking at all of those and may address something that has nothing to do with barking, but with the animal's welfare. He said there were therefore many other things the officers are doing on these calls than just listening to see if the dog is barking.

Ms. Mallek said she has been told by citizens that when they call and ask for help, they are told that the person has more than 5 acres, so there is no jurisdiction. She said this means that what Lt. Walls just described with being able to visit and responding to the barking dog call and therefore have the opportunity to see what else might be affected is not allowed.

Ms. Mallek said she was also completely in support of what Dr. Booker said -- that people deserve equal access to the law. She said the residents in the older, rural neighborhoods with smaller lots who happen to be adjacent to a larger parcel, where the animals are kept right up at the property line and often far away from the owner's house, puts them in a situation where they have no access to help, and that she believed this was wrong, as well as the fact that the numbers of complaints are reduced because there is no rule that they can enforce.

Ms. Mallek said just as in many situations, when the quality of the rules has been improved, much of the issue goes away because people are really most interested in complying with the rule, if there is one. She said that when owners say to their neighbors that they do not have to change anything because the rule says so, it creates medical and quality of life issues for the people surrounding them. She said she believes those people should have access to the same Magistrate process that has been established for everyone else.

Ms. Mallek acknowledged this was not a perfect process and was very difficult to achieve which, to her, was enough of a barrier. She said she wanted something stronger eight years ago, when that was adopted, but was laughed out of the room by members of the Board at that time who chalked it up to life in the country. She said they made allusions that people who live in the country don't have the same ability to care for their animals as people in the City, which made her very angry.

Ms. Mallek said animal care is very much a part of the issue, and that animal protection officers might find other reasons that are of concern. She said animals that are cared for may bark happily, but that they do not bark 24 hours a day, 7 days of week, because this would indicate misery and neglect. She said she would prefer that the officers are put in a position to be able to find out.

Ms. Mallek said she very strongly supported the change and was very grateful for the modifications that had been made.

Ms. Price said at the outset, she appreciated the modification that had been proposed with regard to the hunting situation, which makes the proposal better. She said that she had a number of comments, however, about her concerns that have not been resolved with this.

Ms. Price said she believed the 5 acres was initially an imperfect dividing line and that it effectively presumes that minimum lot size results in a sufficient distance between structures and adjacent properties when, in fact, they can be quite close. She said she lives on about 60 acres, but that her house is about 200 feet from the property line and that there are somewhat close adjacent structures. She said that while cumulatively, the three residences made up 120 acres, they are close to each other.

Ms. Price said the second problem she has is that this continues the difficulties of differentiating the ambiguity of the rural versus urban demarcation lines. She said this was previously brought up in prior weeks before the Board with regard to the leash laws. She said once again, they find themselves with complexities being built into a situation that do not actually address the underlying concerns.

Ms. Price said that for her third concern, she would use the analogy of a trial. She said if someone is offering evidence, there are two decisions that must be made. She said the first is the admissibility of the evidence, and the second is the weight that would be given to that evidence. She said her analogy with this was that she believes she has now received in excess of 30 emails from constituents with regard to the situation. She said she would accept all of those as being admissible. She said as with any situation that comes before the Board, they have to decide the weight that they are going to give to that sort of input, as there are certain segments of the population that may be more vocal on certain issues than others.

Ms. Price said the overwhelming weight of the inquiries that she has received have been in strong opposition to the proposal, and that she was going to give some weight to that.

Ms. Price said she looked specifically at the Scottsville District, noting it was a very mixed district. She said in general, the Cale, Biscuit Run, Town of Scottsville, Glenmore, and Rivanna Village areas are urban. She said the remainder of the district (the rest of Stone Robinson, Monticello, and the Scottsville Precinct, other than the Town of Scottsville) are quite rural. She said she had a mix of the smaller development areas, smaller lots, closer houses, and more densely populated areas as well as very expansive rural area.

Ms. Price said she was very concerned at the impact of actions that might be taken by the Board that impact the hunting and rural life and the culture of the Rural Area, which she very much supported. She said that beyond just the hunting and the cultural aspect, however, she was very moved by several of

the emails she received as they related to the sense of security that individuals in the Rural Area have with regard to the protection that they feel from their dogs. She said this relevantly ties into the previous discussion with response times in the Rural Areas.

Ms. Price said at other meetings she had observed before she was elected and installed, the response times in the Rural Areas for law enforcement can be quite lengthy, in excess of 20 minutes. She said if one lives in the Rural Area, with no streetlights or neighbors, they come to rely on a variety of methods of feel secure, and that one of those is their dog alerting to things that take place outside the residence. She said she has a dog that stays with her occasionally and that she feels much more secure at night when it is pitch dark outside, there are no neighbors immediately next door, and this dog alerts her of something.

Ms. Price said she recognized there was a difference between this and the 30 minutes of continuous barking, with a 5-minute break before the next section of barking, but that they have to go back to the somewhat anecdotal data that Lt. Walls provided that they have a very small number of actual incidents that rise to the level of complaints.

Ms. Price said her last area of concern, which was a much more general area, was that she questions the criminalization of the situation as a misdemeanor, as she believes this reflects an overcriminalization of events. She said candidly that if there is a problem with a barking dog, her belief was that at most, this should be considered more of a civil infraction with potential criminal consequences only if the individual fails to comply with court orders to abate.

Ms. Price said in totality, under the consideration of all those factors, she was opposed to the proposal.

Ms. Palmer asked how one would make this a civil case.

Ms. Price said this was not in terms of a civil lawsuit, but a civil infraction. She said this was much like how marijuana has been decriminalized in certain places, but have not fully legalized it, and so it is a civil infraction where there may be a fine. She said there would not necessarily be a criminal misdemeanor conviction. She said this goes beyond what the ordinance proposes, but that she believed something in terms of animal noise should be more in the nature of a civil infraction. She said the individual could then be ordered by a court to abate, and if they fail to comply with the court orders, then it could be a criminal infraction.

Ms. Price said she was concerned with criminalizing everything that happens. She said she believed the entire issue reflects an overcriminalization of conduct in society that she did not agree with.

Ms. Mallek asked if the matter was criminal at present.

Mr. Kamptner replied that by tradition, ordinances were enforced through criminal proceedings. He said that through misdemeanor prosecutions, they cannot make the violation of an ordinance a felony. He said the General Assembly has given the County the enabling authority to make certain violations civil in nature, such as zoning violations and stormwater management violations. He said this has been done now, through civil enforcement, with zoning for 20 years. He said the County would need to have enabling authority to do this for anything else.

Ms. Price recognized this, noting that her comment was more general in terms of criminalizing everything. She recognized this was a low-level misdemeanor, but that nonetheless, she believes that in general, too many things are criminalized that should be handled more as a civil manner. She said this was somewhat separate from her overall opposition to the proposal, and that she believed the County should keep the ordinance as it is.

Mr. Kamptner said Ms. Price's point about criminalizing was one of the motivations for switching over to civil enforcement of the zoning regulations. He said there was a visiting judge in General District Court 20 years earlier who was very reluctant to criminalize a zoning violation. He said that motivated the County to move to civil enforcement.

Ms. Palmer asked if it was reasonable to ask the legislature about this, noting that she understood this as a low-level infraction and hadn't thought it was an issue.

Mr. Kamptner replied that it was something that could be added to the list of things for the Board to consider when they start the 2021 session. He said a Class III Misdemeanor is a fine, but that it is criminal in nature. He said some would say there is a concern about the stigma that is attached to it. He said this could also be a great motivator, however, to not violate the ordinance.

Ms. Price said she had another point. She said three nights earlier, as she was lying down to go to sleep, she could hear from one of her neighbor's property two dogs barking, and from the other neighbor's property, a rooster crowing. She said under the ordinance, the rooster crowing (which she could hear just as well as the dogs barking) would not have caused a problem, but the dogs barking could result in a misdemeanor conviction. She said this was another reason why she didn't think the County needed to go forward with this.

Ms. Mallek replied that it would only be in an extreme case where Ms. Price felt so disabled in her quality of life that she went to the Magistrate and put in a process, with both the Magistrate and the judge

approving.

Ms. Mallek said in terms of security, Ms. Price's point was absolutely bona fide. She said when she and her granddaughters are outside doing chores in the dark, it is wonderful to be accompanied by their dogs because she knows when the dogs are happy, there is no one there. She said when the bears come through and the dogs bark at them, the bears leave.

Ms. Mallek said this was not what the Board was discussing. She said the Board was talking about animals who are confined and left alone, and their barking is not responded to by their owner, which is why they keep barking for hours. She said there is no element of protection in that case because it was a matter of neglect, which has consequences for the neighbors who live nearby. She said that is why she believes this is a different situation altogether from people whose dogs are part of their life up close, as opposed to 500 feet or a mile away from their house in someone else's space.

Ms. Palmer said she has neighbors with dogs who bark all through the night and that she doesn't pay attention to it, as it was far enough away. She said she thinks it's the norm to hear dogs barking in the distance.

Ms. Mallek said this was why she supposed that there have not been so many people who have been physically affected as the group that has come to the Board over the last six months. She said this was a reason to pursue the changes to the ordinance. She said it would not affect the people who don't need to be affected, but that it would help the few people for whom it would make a big difference.

Ms. McKeel asked Mr. Kamptner if he had a chance to look at what other urban/rural communities might have in terms of a similar ordinance.

Mr. Kamptner replied he did not.

Ms. McKeel acknowledged that Mr. Kamptner likely did not have time to do this. She said there were other communities that were similar to Albemarle and that she wondered about their laws.

Mr. Gallaway said he had faith in judgment of the County's Animal Control Officers. He said they have heard the Board debate this and the concerns. He said in the other instances where the Board has dealt with animal cruelty (including the at-large piece), they will listen to the judgment and be able to go out and execute the spirit of the law.

Mr. Gallaway said in regard to the hunt clubs and kennels, he heard from the Board members that they do not wish to inhibit any of the activities or training, including those outside of hunting season and what has to be done to make a good hunt dog. He said this would be something where if a call happens, and an Animal Control Officer goes out, they are going to remember the Board's conversation. He said if the Board missed it and has to do something from a policy standpoint, then he would be happy to have it come back to the Board so it can be corrected.

Mr. Gallaway said this was another example of where the Board sometimes gets asked to put hard definitions in rural area versus growth area, and then there is residential nature in the rural area that wants protections such as in the growth area. He remarked that this keeps coming up in many different areas, be it land use or Airbnb.

Mr. Gallaway said he grew up in West Virginia, and that his father used beagles to hunt rabbits. He said there are no ordinances anywhere for barking dogs there, and there was nothing that upset his father more than a dog barking. He said his father knew how to go out and control his own dogs. He said he appreciated the fact that there is some level of control owners have over their own animals. He said his neighbors have to listen to his dog barking at a fox in the backyard, as well as his voice trying to control the dog, for about 5-10 minutes. He said since he lives in the urban area and has heard dogs barking incessantly, he appreciates the behavior around the owners.

Mr. Gallaway said if people leave the house all day and the dogs are unattended to, then there is a level of recourse in the urban area where action can be pursued. He said for the example that was given where it was literally all day, there must be something given to that person to be able to have recourse. He said if a neighborhood dispute cannot be resolved because one neighbor is not willing to engage in a conflict resolution, then there should be some other recourse that is afforded to the person to be able to find a resolution.

Mr. Gallaway said he would be supporting the proposed ordinance.

Ms. Mallek **moved** to adopt the Ordinance to Amend County Code Chapter 4, Animals. Ms. Palmer **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

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

NAYS: Ms. Price.

ABSENT: Ms. LaPisto-Kirtley.

AN ORDINANCE TO AMEND DIVISION 4, STOLEN DOGS AND CATS, AND NOTICE, OF ARTICLE 3, ANIMALS, OF CHAPTER 4, ANIMALS, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA

BE IT ORDAINED By the Board of Supervisors of the County of Albemarle, Virginia, that Division 4, Stolen Dogs and Cats, and Noise, of Article 3, Animals, of Chapter 4, Animals, is hereby amended as follows:

By Amending:

Sec. 4-319 Frequent or continuous sounds by animals are prohibited

Chapter 4. Animals

Article 3. Animals

Division 4. Stolen Dogs and Cats, and Noise

Sec. 4-319 Frequent or continuous sounds by animals are prohibited.

Frequent or continuous howls, barks, and other excessive or continuous sounds by animals may be enforced as follows:

- A. *Sounds from animals; exclusions.* It is unlawful and shall be a nuisance for an owner or custodian of an animal to harbor the animal within the County if that animal frequently or for a continued duration howls, barks or makes other excessive or continuous sounds which are audible on the property of a complainant in the County. For the purposes of this section, "excessive or continuous sounds" means any howling, barking or other animal noise which continues for at least 30 consecutive minutes with no cessation of such sounds for time periods greater than five minutes during the 30 consecutive minute period. This section does not apply to any of the following:
 1. *Game hunting.* During the applicable hunting season, sounds created by a dog while participating in an organized fox or other game hunt.
 2. *Animals in shelters.* Sounds created by any animal in a public or private animal shelter.
 3. *Animals in commercial kennels or hunt club kennels.* Sounds created by any animal in a commercial kennel as defined in County Code Chapter 18 or in a kennel operated by a hunt club.
 4. *Livestock or poultry.* Sounds created by livestock or poultry.
- B. *Complaints of animal noise.* Notwithstanding County Code § 4-102, no person shall be charged with a violation of this section unless the complainant appears before a magistrate and requests a summons to be issued. However, when a violation is committed in the presence of an animal control officer or police officer, he shall have the authority to initiate all necessary proceedings.
- C. *Penalty for violation.* A violation of this section is punishable as a class 3 misdemeanor, and any owner or custodian of an animal found guilty under this section shall be required to abate the disturbance.

(§ 4-319: (§ 4-106: Ord. 08-4(1), 6-11-08, § 4-601, § 4-602, § 4-603; Ord. 09-4(1), 7-8-09; Ord. 14-4(1), 6-4-14, effective 7-1-14); § 4-319, Ord 18-4(1), 10-3-18; Ord. 20-4(1), 1-15-20)

State law reference-Va. Code § 15.2-1200.

Agenda Item No. 22. ZMA201700005 Hollymead Town Center Area C, Blocks II and VII.
PROJECT: ZMA201700005 Hollymead Town Center Area C, Blocks II and VII
MAGISTERIAL DISTRICT: Rio
TAX MAP/PARCELS: 032000000041J0, 032000000041P0 (Sign #87, 88, 89)
LOCATION: Hollymead Town Center Area C, on the south side of Timberwood Blvd. between Connor Dr. and Berkmar Dr., and on the northeast corner of the intersection of Berkmar Dr. and Laurel Park Ln.
PROPOSAL: Amend proffer statement to allow for the amendment of the Code of Development to change the ranges of non-residential square footage allowed in Blocks II and VII; to permit residential units in Blocks II and VII; and to change the development standards for Blocks II and VII. Amend the application plan to reflect changes in the Code of Development.
PETITION: Request to amend proffers, Code of Development, and application plan associated with ZMA200100020 and ZMA201300004 Hollymead Town Center Area C. Amend the proffer statement to proffer a revised application plan and a revised Code of Development. Amend the Code of Development to change the minimum and maximum non-residential square footage allowed in Blocks II and VII, as well as increase the overall total "Not to exceed" square footage limit for non-residential uses in Area C to 353,000 square feet. Amend the Code of Development to permit a range of 0 to 130 residential units in Block II and a range of 0 to 100 residential units in Block VII, with an increase in the overall "Not to exceed" total of residential units in Area C to 370, for a density range between 2.15 units/acre and 10 units/acre in Area C. Area C contains 37.1 acres and is zoned Planned Development – Mixed Commercial which allows large-scale

commercial uses; and residential by special use permit (15 units/acre). Amend the Code of Development to revise the narrative of Hollymead Town Center Area C, including sections on Table A, Block II, and Block VII. Amend Table A in the Code of Development to require amenities be provided in Block II and Block VII. Amend Table B in the Code of Development to change the architectural standards pertaining to build-to lines. Amend the Code of Development to change Appendix A to permit Blocks II and VII to be mixed use. Amend the application plan to reflect the proposed changes in the Code of Development, including adding a land use table on sheet A2 and depicting conceptual locations of parking areas and buildings with a mix of uses permitted, including residential and non-residential, on sheet A2, for Blocks II and VII. No change to the zoning district is proposed.

ZONING: PD-MC Planned Development Mixed Commercial - large-scale commercial uses; residential by special use permit (15 units/acre); ZMA200100020 and ZMA201300004.

OVERLAY DISTRICT(S): Entrance Corridor, Steep Slopes – Managed, Airport Impact Area
PROFFER(S): Yes

COMPREHENSIVE PLAN: Urban Mixed Use (in Centers) – retail, residential, commercial, employment, office, institutional, and open space; and Commercial Mixed Use – commercial, retail, employment uses, with supporting residential (no maximum density), office, or institutional uses, within the Community of Hollymead of the Places29 Master Plan.

The Executive Summary forwarded to the Board states that, at its meeting on June 18, 2019, the Planning Commission (PC) conducted a public hearing and voted 5:0 to recommend approval of this zoning map amendment request, with the revisions as recommended by staff in the staff report, including that the applicant address a specific area for green space, 15% affordable housing, and the impact on schools. The Commission's staff report, action memo, and meeting minutes are attached (Attachments A, B, and C).

At the Planning Commission meeting, staff recommended approval of the proposed Zoning Map Amendment application with recommended revisions to the proffer statement, Code of Development, and application plan, and recommended that the applicant hold another community meeting, since the original community meeting had been held over a year and a half prior. The proposal is consistent with the future land use and development recommendations specified in the Places29 Master Plan and the Albemarle County Comprehensive Plan.

One community member spoke at the public hearing, concerned about the effect this rezoning may have on economic development goals, as well as recognizing that there is also a greater demand for housing, especially affordable housing, in the community.

Several concerns were raised by the PC about this application, including the dearth of green space in the nearby residential subdivisions in the Hollymead Town Center area, the lack of affordable housing proposed in this rezoning, and the impacts on the school system that the increase in residential units proposed may have.

After the public hearing closed and discussion of the item ended, the PC voted 5:0 to recommend approval of ZMA201700005 Hollymead Town Center Area C Blocks II and VII, with the revisions as recommended by staff in the staff report, including that the applicant better address green space, 15% affordable housing, and the impact that the development would have on the school system. In addition, the PC recommended that the applicant hold another community meeting, as recommended by staff in the staff report, in order to update the Places29-North CAC and other community members on the changes to the application since the first community meeting.

At the recommendations of staff and the PC, the applicant held another community meeting at the Places29-North CAC meeting on August 15, 2019. About two dozen community members attended this meeting, in addition to the CAC members. Questions raised by community members included what types of housing would be allowed, whether there would be a hotel allowed on the subject property, and whether there would be any height restrictions, as the viewsheds toward the Southwest Mountains are important to residents. The applicant answered that the housing would be either multi-family or single-family attached units; that a hotel would be permitted in Block II along with other commercial uses and residential units; and that the height limits currently in the Area C Code of Development are not proposed to be changed with this rezoning request.

Following the recommendations of staff and the Planning Commission, the applicant has submitted revised application materials addressing the suggested revisions from the PC meeting. These materials include a project narrative describing in more detail the anticipated impacts that the proposed rezoning request would have on the school system and a revised proffer statement with the format changes recommended by staff. In addition, a revised Code of Development was submitted that includes language providing for 15% affordable housing in Blocks II and VII; additions to the uses table (Table A) that provides for green space and amenities, including pocket parks and tot lots, in Blocks II and VII if residential units are built; and revisions to the architectural standards table (Table B) to bring the build-to line requirements into consistency with the other blocks where a mixture of uses is already permitted. The applicant also submitted a revised application plan to depict the changes proposed in the Code of Development, including showing conceptual building footprints that could contain non-residential, multi-family, or single-family attached uses, or a mix of these uses, with internal parking areas, for Blocks II and VII. These revised application materials are Attachments D, E, F, and G. Staff finds that these revised materials and the additional community meeting held in August address the recommended changes.

Staff recommends that the Board adopt the attached Ordinance (Attachment H) to approve

ZMA201700005 Hollymead Town Center Area C Blocks II and VII.

Mr. Andy Reitelbach, Senior Planner, presented. He said he would provide the Board with some background on the rezoning application.

Mr. Reitelbach said the item originally went to the Planning Commission on June 18, 2019 with a 5-0 vote recommending approval, with recommendation for changes to the application, as well as recommending an additional community meeting.

Mr. Reitelbach presented the existing conditions for the property. He said it consists of two parcels in the Hollymead Town Center area that are not contiguous. He indicated on a photograph to Block VII, explaining Block I is located between Berkmar Drive and Laurel Park Lane. He said Block II is to the south of Timberwood Boulevard between Connor Drive and Berkmar Drive. He said the parcel in between is where the recently constructed Staybridge Suites Hotel is located.

Mr. Reitelbach said that overall, Area C (which is one unified planned development going along Timberwood Boulevard from Route 29 up to Lockwood Drive) is, overall, 37.13 acres in size. He said Block II (the southern parcel) is 3.93 acres, and Block VII (the northern parcel) is 2.02 acres. He said the current zoning is PDMC (Planned Development, Mixed Commercial).

Mr. Reitelbach said the rezoning application isn't necessarily a conventional application because the applicant is not asking to rezone to a different zoning district. He explained that the applicant is instead asking to amend their proffers, Code of Development, and application plan to permit some uses that are not currently permitted within that Code of Development.

Mr. Reitelbach presented the Comprehensive Plan area, noting that Block II in the south is designated as "Urban Mixed Use" in the center, and that Block VII on the north is designated as "Commercial Mixed Use." He said in the Urban Mixed Use of Block II Residential is a primary use that is recommended in the Places29 Master plan. He said in the Commercial Mixed Use designation, residential uses are a secondary use.

Mr. Reitelbach said there were three parts to the proposal, with the first being to amend the proffers that were originally approved back in 2003 by the Board of Supervisors. He said there are two parts to amending the proffers: one, to reference the revised code of the development that the applicant wishes to amend with the application; and two, to revise the reference to the application plan.

Mr. Reitelbach presented the changes that the applicant wished to make to the Code of Development for Hollymead Town Center Area C in Blocks II and VII. He said the first is to amend Table A, which is the Uses table, and only for Blocks II and VII. He said the main change is to revise the permitted uses to allow for residential. He said currently, in both of those blocks, only non-residential uses are permitted.

Mr. Reitelbach said another requested change was to revise the ranges of allowable square footage of non-residential uses, to revise the overall not-to-exceed totals for residential and non-residential to accommodate those proposed changes mentioned previously to allowing residential units, as well as revising the range of non-residential square footage.

Mr. Reitelbach said the applicant would also like to revise the Amenities column for Blocks II and VII to provide for open space and recreational areas.

Mr. Reitelbach said in addition, in the Code of Development, the applicant is amending the narrative to include 15% affordable housing within any residential units that may be constructed in Blocks II and VII, and to provide amenity areas for Blocks II and VII.

Mr. Reitelbach said the applicant is also proposing to amend the build-to lines in Table B of the Code of Development, which is the Architectural Standards table. He said this would result in Blocks II and VII matching the other mixed-use blocks that are already in Area C.

Mr. Reitelbach said the applicant is amending Appendix A to permit mixed use in Blocks II and VII, since they are asking to go from only commercial to both commercial and residential.

Mr. Reitelbach said these amendments are to ensure that the Code of Development is consistent throughout the entire document, and that all the tables and narrative correctly reference each other.

Mr. Reitelbach said because this is a Planned District, the application plan is the zoning for those parcels. He said because the Code of Development is being amended, the application plan also has to be amended. He said the application plan is being amended to reflect those changes made in the Code of Development, including the uses of the residential and commercial square footage, as well as depicting the general locations of these additional buildings and parking areas that are proposed. He said it will also identify the general areas for the recreational areas being proposed for residential uses.

Mr. Reitelbach presented a slide showing the two main pages of the Code of Development that are proposed to be revised. He noted this document was included in the Board's packet. He said it shows that Blocks II and VII are the rows being amended and shows the range of residential units that are proposed, the proposed new range, and the non-residential or commercial square footage. He said it

also provides for both a pocket park and a tot lot as amenities within Blocks II and VII.

Mr. Reitelbach presented the amended application plan, which showed the rough locations of the proposed new buildings and parking areas. He said these could be changed during the site plan stage to ensure that all aspects of the ordinance are followed, and to ensure that the applicant's development does not have to meet the application plan specifically as shown.

Mr. Reitelbach said the tot lots and pocket parks mentioned in the Code of Development would be allowed to be placed anywhere within the blocks, within the buildable area, as long as they are shown at the site plan stage.

Mr. Reitelbach said a major part of the Planning Commission's recommendation in June 2019 was to hold an additional community meeting. He said the rezoning was first submitted back in June of 2017, and the first community meeting was held in early 2018. He said as one can expect, over the nearly three years since the application was first submitted, there have been substantial changes, and so it was recommended by the Commission that another community meeting be held with the Places29 North CAC, nearby property owners, and community members to update them on what the current proposal was.

Mr. Reitelbach said this meeting was held on August 15, 2019 at the Places29 North CAC. He said it was well attended, with approximately 24 community members there in addition to the CAC members. He said the main concerns expressed there were around traffic and the heights of the buildings.

Mr. Reitelbach said regarding the heights of the buildings, the applicant was not proposing to change those requirements. He said they are maintaining what has always been permitted within Area C within the Code of Development.

Mr. Reitelbach said regarding traffic, both VDOT and the County's Transportation Planner have reviewed the application and do not foresee any concerns with traffic. He said there was a due diligence traffic study provided by the applicant. He presented the new possible traffic generation and the possible changes that could take place with reducing commercial square footage and increasing residential may do. He noted there was no substantial change to the traffic generation.

Mr. Reitelbach noted that the Berkmar Drive extension was not included in the original traffic study that was done when the rezoning was first approved back in 2003, and so having that extension does increase interconnectivity and additional ways for the community to get around that were not originally foreseen when the application was first approved over 15 years ago.

Mr. Reitelbach said there were several factors favorable to the rezoning. He said it is consistent with the use and density recommended in the Places29 Master Plan. He said it is consistent with the majority of the applicable Neighborhood Model principles. He said the amendments to the Code of Development would maintain the overall plan and vision for Area C that were outlined in the original Code of Development and approved in 2003 with the original rezoning. He said the additional community meeting was held on August 15, and the revisions as recommended by staff in the staff report were made to the application prior to coming before the Board.

Mr. Reitelbach said the only remaining unfavorable factor is that the applicant is proposing to increase the number of residential units in Area C, which will add more students to the area schools.

Mr. Reitelbach reiterated that the Planning Commission voted 5-0 to recommend approval of the application, with revisions as recommended by staff and with the additional community meeting. He said staff recommends adoption of the attached ordinance (Attachment H) to approve the Zoning Map Amendment. He presented the options for motions for the Board to either approve or deny the ZMA.

Ms. Mallek said she found this challenging to manage, having been in the audience in 2003, when it was originally adopted. She expressed that the project was difficult to track, as everything has been in flux for 15 years. She said in 2003, there had been great concern about either having a monster housing project or a big strip mall, and there needed to be a balance. She asked what has been lost in the concepts that were approved with the community input then, as all the continuous changes were happening. She explained it has been changing from what was supposed to be a business and employment model with some residences on the side to being primarily residential.

Mr. Reitelbach confirmed that it was primarily supposed to be a commercial development in 2003, based on the zoning of Planned Development Mixed Commercial. He said originally, the residential was only in Block V, which is the northwesternmost block. He said over the years, there has been more change to residential, and that Blocks IV and VI were approved for residential in 2013.

Mr. Reitelbach said that with this rezoning, the applicant is not proposing to necessarily remove the commercial square footage. He said they are proposing to reduce to allow for a minimum of zero, and that there is the possibility for that in the future.

Mr. Reitelbach added that there is a lot of commercial in that area. He acknowledged the application was only looking at Area C, but noted the rest of Hollymead includes shopping centers for Target, Harris Teeter, and Kohl's and that many areas across 29 are commercial. He said in the grand scheme of things, it does appear that residential continues to provide a good mix and allowing for

residential in this application would continue to provide for that mix over the entirety of the Hollymead area.

Mr. Reitelbach said there were still some other undeveloped areas within Area C specifically that are permitted for commercial, and so there is room for that additional commercial development.

Mr. David Benish (Planning Director) said there is a reduced demand for the commercial that had been believed to be more available in the early 2000s.

Ms. Mallek agreed that this was the case for retail, but noted that it was not the case for office. She said there have been comments from businesses that there is no office space in the County. She asked why they should give up office space to put in more houses and thus increase the demand on schools.

Mr. Benish replied that this particular case allows the applicant to better address the market. He said from a historic perspective, this was one of four sections of the Hollymead Town Center. He said Areas A, B, and C still have a fair amount of undeveloped commercial area and potential, so there is still opportunity there.

Ms. Mallek asked if there was a recommended ratio of recreation space when switching to a primarily residential basis (remarking this is what it looked like, with 250 more units). She said a couple of tot lots wouldn't begin to provide recreation space for 250 more families. She asked for the estimation that determines whether or not this plan would be providing adequate space.

Mr. Reitelbach replied that this was a challenge because originally, the overall plan was for commercial, which does not require recreational space. He said now trying to work residential into this, recreation space would be desired. He said the applicant, in the Code of Development narrative, has proposed that for each block that would go toward residential, that 7.5% of that area would be for recreational and open space, whether that is a tot lot or pocket park. He said this is roughly in line with the Zoning Ordinance, which requires 5% of residential areas to be open space. He said it was therefore proposed to be slightly more than what is required by the Zoning Ordinance.

Mr. Reitelbach acknowledged that it was difficult because the two parcels are small in and of themselves, and naturally, there would not be any large recreational area. He said there would be the opportunity for more, smaller parks.

Ms. Mallek said there is also an area under common ownership where a half-acre could be designated across the street, for instance, as a recreational space. She said there were many projects the Board has seen over the last five years that have had 15% green space. She said 7% seemed small to her, but that it met the rules.

Ms. Mallek asked if there was any more information about the affordable housing component. She said when she first read the proposal, it had sounded as if there would not be any, but then at the end, it sounded like there would be.

Mr. Reitelbach said when the application originally went before the Planning Commission, there was no proposal for affordable housing. He said it was the recommendation of both staff and the Planning Commission that the applicant addresses this. He said in the revised Code of Development, in the narrative section under both Blocks II and VII, the applicant does provide for the standard 15% affordable housing that is discussed in the Comprehensive Plan. He said the County's Housing Planner (Stacey Pethia) has reviewed those sections for compliance with the Comprehensive Plan, and that she did not have any other than a few minor technical changes.

Ms. Palmer asked if the 7.5% of green space in a block area would have to be contiguous.

Mr. Reitelbach replied that the 7.5% would have to be within Block II or Block VII.

Ms. Palmer asked if the 7.5% of space would all have to be together rather than split up.

Ms. Mallek remarked that it was already on two parcels.

Mr. Benish said in order to adequately achieve the expectations, most of the 7% area would be put together.

Ms. Palmer asked how many square feet this amounted to.

Mr. Reitelbach said he would have to perform the calculations.

Mr. Benish said the applicant may have the answer. He asked the Board to keep in mind that this is a four-area section of the Town Center. He said there is a greenway along the edge of the trails that go back behind Abington Place that is provided. He said in Area A-2, there is a courtyard area in an undeveloped section.

Mr. Benish said over time, there will be some more central areas, but that staff did recognize that it would be more desirable to have some more green space in the area. He said this was one of the implications of the transition over time and that in some places, it was difficult to retrofit green space in.

He said there are larger open space areas in the ultimate buildout that will be available.

Mr. Gallaway asked the applicant to come forward.

Mr. Justin Shimp (project engineer) said he was joined by Ms. Kelsey Schlein (Shimp Engineering). He noted the project has been going on for years and has changed. He said because the original zoning was complicated, it took a while to figure out a clean path forward, but that he believed they were there.

Mr. Shimp said in terms of the 7% open amenity space, this is a usable space. He said when 15-20% is seen in other developments, this was not necessarily all an active space and could be an area of trees.

Mr. Shimp said he started his career working on the project and worked on the original Timberwood Road plan. He said things have changed since then, acknowledging they were now looking at less commercial and more mixed use. He said this could be seen in the Rio-29 Small Area Plan, with consideration of how to integrate residential into underutilized shopping areas, and that Hollymead Town Center represented a small piece of that.

Mr. Shimp said the form and mass of the buildings that were laid out originally were good. He said it is divided into small blocks, and so there will not be a mammoth housing development because the blocks are carved into 2-acre pieces. He said the uses prescribed were 2003 thinking, noting that there used to be businesses that are no longer in business, such as Radio Shack and Circuit City. He said the thinking behind the projects must evolve, and that there is a strong demand for residential, which is recognized in the Comprehensive Plan. He said Rio-29 is a perfect example of taking historically commercial areas and making them mixed use.

Mr. Shimp said the surrounding land use shows a mix of commercial, community mixed use, and residential. He said much of the residential in that area is single-family, with some townhomes but not much in the way of multi-family. He said the applicant is trying to work in a small multi-family component.

Mr. Shimp presented views of the site, noting it was currently vacant land.

Mr. Shimp said the components of affordable housing and dedicated space were revised. He presented a slide showing the changes proposed, which would permit the additional residential dwelling units in the two blocks. He said there would be a slight adjustment to the commercial in Block II as well.

Mr. Shimp said part of the complicated process was vetting how the numbers work with the original traffic study, and that it was determined that the mixture of uses proposed would add less impact than what was originally foreseen with all the commercial retail users. He said additionally, the improvements to 29 and the Berkmar Extension were not envisioned in the original traffic reports, and so things have improved in the area relative to what had been planned.

Ms. Palmer asked if Mr. Shimp could explain the minimum and maximum numbers on the screen, as well as the totals that did not seem to match.

Mr. Shimp asked if Ms. Palmer was referring to commercial or residential numbers.

Ms. Palmer replied that there were only Dwelling Unit Ranges, Minimum, Maximum, 0-130, 0-100; and then Not-to-Exceed numbers of 80 and 370.

Mr. Shimp said the applicant had clipped out two lines in the Code of Development. He said there are nine total blocks, and therefore seven more lines for different blocks with different numbers in them. He said this was why the numbers didn't match the totals. He said he was only showing the Board the ones that changed.

Mr. Shimp said that some of the prior planned commercial space has subsequently been developed as residential. He said while in theory, they were increasing the commercial square footage to 353,000 square feet (from 275,000), 80,000 square feet of this is in Block IV that is not commercial, but instead is townhomes. He said they would not actually be increasing the commercial from what was there, as there was a piece there that was never built and wouldn't expect to be built for a long time.

Mr. Shimp presented the Comprehensive Plan overview. He said there were originally 37 acres, with an original density of around 130 maximum (about 3 units per acre). He said they were now at 370 units, or about 10 units per acre over the block, which was very well within the 3-34 units the plan would be looking for. He said it was actually not a tremendous concentration of residential, compared to what the Comprehensive Plan might expect.

Ms. Palmer asked for the size of the green space at 7.5%.

Mr. Shimp replied it was 7.5% of the area of the building, and so it would depend on the size of the structure. He said if someone were to build a 20,000-square-foot building, for instance, that would make for 1,400 square feet of recreational space. He said this was not green space, but recreational space. He said the 7% was the active recreation amenity space and not necessarily green space.

Ms. Mallek said she had written down "usable space" which, to her, meant anything that was not

constrained. She asked Mr. Shimp if he was now saying it was only the building footprint he was talking about for the 7.5%, noting this was a huge difference and she wanted to know which it was.

Mr. Shimp apologized. He clarified that if the block were to all be residential, it would be 7% of the gross land area, not the building area.

Ms. Palmer said this made more sense.

Mr. Shimp said this would be the active space, and that there would still be some additional non-active green space. He again stated this was 7% of the land area, not the building area.

Ms. Palmer asked if Mr. Shimp knew how big that would be. She said a good point that was made was that these are small blocks, and that 7% or 7.5% is going to be a small area. She said she wanted to get an idea if this was 10,000 or 20,000 square feet of a tot lot.

Ms. Kelsey Schlein replied that for a 2-acre parcel, if the entirety of the parcel is dedicated to residential use, this would equate to slightly over 6,000 square feet of an amenity area. She said for a 4-acre parcel, it would be close to 12,000 square feet. She said this was all informed by the 5% recreational requirement in the ordinance for residential areas in excess of 30 units. She said that is where the 7% was derived from, since there had been a concern that it was not fully accounted for when the primary focus of the PDMC was as a commercial center.

Ms. McKeel asked how this application would improve the residents' ability to find affordable housing.

Mr. Shimp replied that when a variety of housing types are inserted around employment, someone will move closer to their job, somewhere more affordable, or fits their lifestyle better. He said the more choices they have, the better off they will be. He said if one works near the area but lives 7 miles away, they have about 20 minutes of driving each way they have lost with their family. He said if they move to this area and have a 1.5-minute drive or a walk to work, the quality of life has improved.

Ms. McKeel asked what Mr. Shimp anticipated that the affordability would be in general, aside from the 15% being designated as affordable. She asked what the market rates would be.

Mr. Shimp replied that he didn't expect them to be luxury homes. He said it would not all be affordable but would be similar to what is being built near Polo Grounds (Brookhill). He said these would be more like 50-100 units, and thus a smaller project, but with a similar form. He said in this particular proposal, it dives deeper into the affordability than has been done in the past, because the new Housing Planner has tweaked the number the County is looking for. He said it was an 80% reference but was actually closer to 60-65% affordable.

Ms. Mallek asked if the 60-65% was referring to the AMI (Average Median Income), or something else.

Ms. Schlein said that when talking about affordable housing, the standard is that it is a unit that is affordable to someone making 80% AMI (Average Median Income). She said HUD (Housing and Urban Development) publishes their fair market rent (the Virginia HUD Metro Area FMRs). She said in extrapolating the data for how this would equate to 30% of someone's income, more so, the data translates to be affordable to someone making around 65% AMI rather than 80% AMI.

Mr. Shimp said the HUD FMR actually takes down the rent somewhat lower. He said the AMI of Albemarle County is fairly high, and so it benchmarks a different figure that ends up equating to about 65% of the Albemarle AMI.

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

Mr. Gallaway recognized the fact that there were some viewshed comments made, and that he presumed these were from the people living in the immediate area.

Mr. Reitelbach confirmed this was correct.

Mr. Gallaway said they would have to understand that in the Development Area where the infrastructure is now in place for the density, that the density will include height. He said he appreciated the concern and was not trying to undermine it, but that if someone is living in an area that has built up over the last 10 years and sees the other lots getting ready to be built up, they cannot be limiting the height in those particular areas. He said this was the reality. He said if the viewshed comments were coming from miles away, on the other hand, this would be a different scenario.

Ms. Mallek asked if the original plans called for four stories.

Mr. Reitelbach replied that it was for three to four stories.

Mr. Gallaway said in terms of economic development and the concern about some commercial area going away, and in talking about the mixed use, Mr. Shimp had a valid point about things having changed. He asked if the Economic Development office was being consulted on this project and if they

expressed any concerns about losing usable area.

Mr. Reitelbach replied that Economic Development did not have concerns about the two blocks.

Mr. Gallaway said the important answer was that staff did speak to Economic Development and that they were part of the active process.

Mr. Gallaway said in terms of schools, he would have to ask that the information be provided in a way that was easy to understand, noting that he had difficulty determining what the increase to schools would be without doing a lot of math. He said perhaps people from the School Division should be pulled in. He said staff does a great job giving a lot of detail in their areas of expertise, but that the school information did not seem to be rising up to the same level of detail.

Mr. Gallaway said he appreciated that the proffered land was being noted as a way to be able to accept the increased density, or the possibility of increased numbers of students. He said they could also look at the past redistricting plans, and the whole side of 29 was, at one time, looked to be moved from Hollymead to Broadus Wood as the outlet. He said they know that those proffered lands aren't being programmed for schools at North Pointe, Brookhill, or any of the proffered places. He said he didn't know what this meant in terms of the Board's conversation back to the School Division, but if they know the densities are coming and there is no game plan for this, this was his one concern.

Mr. Gallaway said the transportation and services seemed to be in place for this kind of development, and that schools were the last piece where the ante needed to be upped of how to provide that information. He said Schools also have to start figuring this out. He said the CIP was maxed out, and it was currently focused on Crozet and Cale Elementary Schools. He said the urban ring is still exploding and if they do not think about actual new school buildings there, he didn't know how the elementary schools would continue to exist the way they currently are.

Ms. McKeel asked if Brookhill had a proffer for an elementary school.

Mr. Kamptner replied that it did.

Ms. McKeel said she sometimes worries that when she sees a site is proffered for a school, she hears some people say that means there will not be a school built there.

Mr. Gallaway said he is sometimes concerned that they become limited in their imagination, citing the thought that North Pointe would be too small as a 200-300 seat elementary school. He asked why they should assume they should have 600-800 seats in an elementary school for new property. He said if they could have an outlet for 200-300 students there, it would take the pressure off of Hollymead and Baker-Butler. He said then, Broadus Wood doesn't necessarily have to be the only outlet, but could be part of the solution.

Mr. Benish confirmed that Brookhill proffered an elementary school, plus the 60 acres that is potentially for a high school. He said North Pointe does too. He said this was land, but as Mr. Gallaway pointed out, it was not necessarily in the CIP or in the program for development, as of yet.

Ms. McKeel said perhaps this was something that the Board should be communicating with the School Board.

Mr. Gallaway said the mixed-use nature of the project was the natural progression for the area, for the reasons that have been stated. He said he was supportive of the application.

Ms. Mallek asked if the first floor was being constructed with a high ceiling so that it could go to office use in a later generation, or if it would be strictly residential permanently, all the way to the ground.

Mr. Reitelbach replied he was not sure, but that the applicant may know.

Mr. Benish said it was not a requirement of the code, as it was in other form-based code concepts. He said the applicant may have contemplated this.

Mr. Benish said he wanted to make sure it was clear that the 7% of space was for the amenity area. He said to think of this as the active area as opposed to the passive open space. He said this was how it was written in the code -- that the active amenity area has to be a minimum of 7%. He said the open space area (green areas) would likely be larger.

Motion was offered by Mr. Gallaway to adopt the attached ordinance (Attachment H) to approve ZMA201700005 Hollymead Town Center Area C, Blocks II and VII. Ms. McKeel **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

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

NAYS: None.

ABSENT: Ms. LaPisto-Kirtley

**AN ORDINANCE TO AMEND THE PROFFERS AND APPLICATION PLAN
APPROVED WITH ZMA 2001-00020 AND
THE CODE OF DEVELOPMENT APPROVED WITH ZMA 2013-00004
FOR TAX PARCELS 03200-00-00-041J0 AND 03200-00-00-041P0**

WHEREAS, the application to amend the proffers and the application plan that were approved with ZMA 2001-00020 and the Code of Development that was approved with ZMA 2013-00004 for Tax Parcels 03200-00-00-041J0 and 03200-00-00-041P0 (collectively, the "Property") is identified as ZMA 2017-00005, Hollymead Town Center, Area C, Blocks II and VII ("ZMA 2017-05"); and

WHEREAS, the Planning Commission voted to recommend approval of ZMA 2017-05 on June 18, 2019 with the revisions recommended by staff, and recommended that the applicant hold another community meeting; and

WHEREAS, subsequent to the Planning Commission meeting, the applicant held another community meeting, and submitted a revised proffer statement, application plan, and code of development that addresses staff's and the Planning Commission's recommendations.

BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that upon consideration of the transmittal summary and staff report prepared for ZMA 2017-05 and their attachments, including the proposed amended proffer statement, application plan, and code of development, the information presented at the public hearing, any written comments received, the material and relevant factors in Virginia Code § 15.2-2284 and County Code § 18-25A, and for the purposes of public necessity, convenience, general welfare and good zoning practices, the Board hereby approves ZMA 2017-05 with the proffers dated January 3, 2020, the application plan dated June 19, 2017, with page A2 of 2 last revised on December 18, 2019, and the code of development plan dated June 19, 2017, last revised on December 18, 2019.

Original Proffers _____
Amendment X

PROFFER STATEMENT

ZMA Number and Name: ZMA2017-00005 Hollymead Town Center Area C Blocks II and VII
Tax Map and Parcel Number(s): 03200-00-00-041P0, 03200-00-00-041J0
Owner(s) of Record: Post Office Land Trust
Date of Proffer Signature: JANUARY 3, 2020
Rezoned 2.02 acres (TMP 32-41P) from Planned Development Mixed Commercial to Planned Development Mixed Commercial
Rezoned 3.93 acres (TMP 32-41J) from Planned Development Mixed Commercial to Planned Development Mixed Commercial

Post Office Land Trust is the owner (the "Owner") of Tax Map and Parcels 03200-00-00-041P0 and 03200-00-00-041J0 (collectively, the "Property") which is the subject of rezoning application ZMA No. ZMA2017-00005, a project known as "Hollymead Town Center Area C Blocks II and VII" (the "Project").

Pursuant to Section 33.3 of the Albemarle County Zoning Ordinance, the Owner hereby voluntarily proffers the conditions listed below which shall be applied to the Property if it is rezoned to the zoning district identified above. These conditions are proffered as a part of the requested rezoning and the Owner acknowledges that the conditions are reasonable. Each signatory below signing on behalf of the Owner covenants and warrants that it is an authorized signatory of the Owner for this proffer statement. This proffer statement amends the proffers applicable to the Project that were accepted in conjunction with ZMA2001-00020, Hollymead Town Center Area C.

These conditions are proffered as part of the requested zoning and it is agreed that: 1) the rezoning itself gives rise to the need for the conditions; and 2) such conditions have a reasonable relation to the rezoning request:

1. Development shall be in general accord with the Application Plan entitled Rezoning Application Plans for Hollymead Town Center Regional Service Area C, (Sheets A-1, A-2, only), prepared by Rivanna Engineering & Surveying, PLC, revised, last revised July 7, 2003 with plan revisions to Sheet A-2 prepared by Shimp Engineering, P.C. dated December 18, 2019 (collectively, the "Application Plan"). The standards of development and central features and major elements within the Property essential to the design of the development shall be in general accord with the Block Exhibit, the Code of Development's Narrative, and the Code of Development's tables and appendices set forth in the attached Application Booklet, entitled "Revised Application Booklet for Code of Development ZMA201700005: A Revision to ZMA 201300004 Originally Revised from ZMA 01-20-2001 (Area C) 'At Hollymead Town Center'" dated June 19, 2017 and last revised December 18, 2019. The Owners have presented, as part of their rezoning application, a number of conceptual plans and illustrations for various purposes, but principally to provide justification for the rezoning actions they are seeking. Unless specifically referenced in these proffers, all plans and illustrations submitted as part of the Applicant's rezoning application, other than the Application Plan as defined above, shall be deemed illustrative only, and such plans and illustrations shall not be deemed proffers. The Owners reserve the right to reconfigure the internal block improvements, consisting of buildings, parking and drive aisles and drive-through window features and as shown on the Application Plan in order to: i) comply with conditions imposed by Special Use Permits, and ii) assure compliance with ARB requirements and iii) and provide all necessary storm water management and BMP's as necessary.

2. The Owners of Area C, as shown on the Application Plan (the "Owner") shall cause completion of the following road improvements that shall be roads constructed to VDOT standards and either be accepted by VDOT or be bonded for VDOT's acceptance as follows:
 - A. Construction of Timberwood Boulevard, as depicted on the Application Plan and further described as follows: i) from the intersection at US Route 29 to a new terminus within Hollymead Town Center that is shown at the extension of the VDOT future road improvement project of Airport Road, this will provide the connection to Airport Road from Route 29 as previously proffered as part of ZMA-94-08. The constructed improvements shall include two Eastbound lanes in conjunction with the improvements designed for TM 32 Parcels 41D1 and 41A to the first dual lane roundabout at access road B and Westbound lanes of dual left lanes; one thru lane and one continuous right turn lane-from the roundabout at access road B to the intersection with Route 29, from the roundabout at access road B a two lane section shall be constructed to the VDOT extension, with additional turn lanes at intersections located in Area C pursuant to road plans approved by the Virginia Department of Transportation ("VDOT") and the County as part of the Area C site plan.
 - B. Construction of dual left turn lanes at the intersection of Route 29 and Timberwood Boulevard, from northbound Route 29 into Timberwood Boulevard. The turn lane and taper lengths will be determined with final road plans to be reviewed and approved by VDOT.
 - C. Signalization at Timberwood Boulevard and Route 29 shall include reconstruction at the Forest Lakes Subdivision entrance location, as scheduled in coordination with VDOT. All turn movements shall be signaled at the intersection of Route 29 and Timberwood Boulevard, as approved by VDOT. The existing intersection exiting Forest Lakes shall be reconstructed to maintain the dual left lanes, the continuous right turn lane and add a through lane according to the final design in the previous paragraph.
 - D. The Owner proffers to dedicate land and construct a third through lane on Route 29 (consisting of lane width, shoulder and drainage improvements) southbound from the entrance road, (Timberwood Boulevard) at the Property's Northern boundary. The Owner also shall dedicate land or cause to be dedicated and construct: i) a continuous through lane 500-feet to the Southern boundary of Area C, ii) a taper lane consisting of a 200 foot taper beginning at the Southern boundary and Route 29 (in the event area B is not rezoned and their proffers accepted), and iii) a continuous right turn lane starting at the right-in at the Northern boundary of TM 32 Parcel 41A to the right-in at the Southern entrance of Area C.
 - E. Construction of one additional continuous right turn Northbound lane starting 1090 feet south of Timberwood Boulevard at the location of the beginning of the turn and taper of Worth Crossing and Route 29, and terminating at Timberwood Boulevard.
 - F. Access Road C, between Area A and its intersection with Timberwood will be built or bonded before the issuance of the first certificate of occupancy within Area B. If bonded, the road will be constructed for acceptance by VDOT within one year of the first certificate of occupancy.

The road improvements listed in proffer 2A, 2B, 2C, 2D, 2E and 2F above shall be constructed, in accordance with road plans submitted by the Owner and approved by VDOT. All of the foregoing improvements shall be i) constructed to VDOT design standards pursuant to detailed plans agreed to between the Applicant and VDOT, and ii) accepted by VDOT for public use or bonded for VDOT's acceptance as a condition for issuance of any certificate of occupancy for Area C improvements (except as otherwise provided in proffer 2F). The width, length, location, (inside median or outside existing pavement), type of section (e.g., urban vs. rural), and geometrics of all lane improvements

shall be as required by VDOT design standards and detailed plans submitted by the Owner and approved by VDOT.

3. All road improvements listed in proffer 2 above shall be substantially completed prior to the issuance of the first Certificate of Occupancy in Area C; notwithstanding the foregoing, the road proffers described in proffer 2 above shall be satisfied if the Owner has submitted plans for all such road improvements for review by VDOT, and although such improvements are not fully completed by the issuance of a Certificate of Occupancy for Area C, sufficient bond has been supplied to satisfy all costs to complete such improvements in accordance with plans approved by VDOT. Substantially complete for the purposes of these proffers shall mean approved sub-base gravel, curb and gutter, intermediate surface and necessary storm water management improvements and satisfactory completion of road improvements required for public safety, and signalization; but shall not include final activated signals which are subject to testing and synchronization according to VDOT inspection. All proffers to make road improvements contained in proffer 2 of these proffers are conditioned upon VDOT's approval of an entrance permit at the Timberwood Boulevard intersection with Route 29 as shown on the Application Plan. The Owner shall submit to VDOT plans for such road improvements within 30 days of the rezoning and shall diligently pursue such approvals from VDOT.
4. Upon request of the County, the Owner shall contribute \$10,000.00 to the County or VDOT for the purposes of funding a regional transportation study for the Route 29 Corridor. The \$10,000.00 contribution shall be made within 30 days after requested by the County after the first final site plan or subdivision plat is approved in Area C and, if not expended for such purposes within three years from the date the funds were contributed such funds shall be refunded to the Owner.
5. The Owner shall contribute \$200,000.00 (the "total contribution") to the County for the purpose of funding capital improvements related to the Hollymead Town Center. The contribution shall be paid as follows: \$100,000.00 shall be contributed to the County within 30 days after the first final site plan or subdivision plat containing dwelling units is approved in Area C; the remainder of the contribution shall be paid on a pro rata basis at the time a certificate of occupancy is issued for each dwelling unit; the pro rata contribution shall be based upon the number of dwelling units approved as part of the first final site plan or subdivision plat. If five years after the date of approval of the first final site plan or subdivision plat the total contribution has not been fully paid, the Owner shall contribute the unpaid balance within 30 days upon the request of the County. If the fund is not exhausted within 10 years from the date the last contribution is made, such unexpended funds shall be refunded to the Owner.
6. Upon the request of the County, for any parcel used for non-residential purposes in the portion that is currently zoned Light Industry that will be rezoned to PDMC the Owner shall petition for and consent to a Community Development Authority ("CDA") established pursuant to Section 15.2-5152, et seq. of the Code of Virginia ("Code") to be created for the purpose of financing, funding, planning, establishing, constructing, reconstructing, enlarging, extending or maintaining Route 29 and roads and other improvements associated therewith, which shall include, but may not be limited to improvements to Route 29 from the South Fork of the Rivanna River to Airport Road, the extension of Ridge Road as depicted on the Master Plan, to the South and across the Rivanna River to connect to Berkmar Drive.

OWNER:

Post Office Land Trust



By: Dr. Charles Hurt

Title: Trustee, Post Office Land Trust

OWNER:

Post Office Land Trust



By: Shirley Fisher

Title: Trustee, Post Office Land Trust

The undersigned Owner hereby proffers that the use and development of the Property shall be in conformance with the proffers and conditions herein above. This document shall supersede all other agreements, proffers or conditions that may be found to be in conflict. The Owner agrees that all proffers shall be binding to the property, which means the proffers shall be transferred to all future property successors of the land.

WITNESS the following signatures:

OWNER:
Post Office Land Trust

Charles M. Hurt
By: Dr. Charles Hurt
Title: Trustee, Post Office Land Trust

OWNER:
Post Office Land Trust

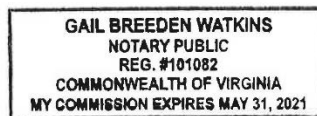
Shirley R. Fisher
By: Shirley Fisher
Title: Trustee, Post Office Land Trust

COMMONWEALTH OF VIRGINIA
~~OFF~~ COUNTY OF Virginia, to wit:

The foregoing instrument was acknowledged before me this 3rd day of January 2020 by Post Office Land Trust.

My Commission expires: May 31, 2021

Gail B. Watkins
Notary Public



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

Mr. Gallaway noted there was a Notice of Intent to Amend Board Policies and travel reimbursement.

Ms. Price said she was giving notice of a motion to be made at the February 5 meeting to amend the Board's policies to incorporate changes pertaining to travel reimbursement and disclosing roles on not-for-profit boards of trustees. She said these proposed changes were discussed during the Board's January 8 meeting.

Ms. McKeel said she wanted to make sure that at the next meeting, there would be a discussion around the bills in the General Assembly to do away with state inspections so that the Board could take a position on it.

Mr. Kamptner said when it came up the week before, staff was going to return on February 5 to discuss it.

Ms. McKeel stressed the importance of getting to it at the first meeting in February.

Mr. Kamptner said police were collecting the safety data to be incorporated into an Executive

Summary and the Resolution.

Ms. McKeel noted that Ron Lantz, the police chief, had told her there was very interesting data to see. She said he was also working with the sheriff, as well as their associations, to essentially fight the bills.

Ms. Mallek expressed her support of Ms. McKeel.

Item No. 23.a. Resolution Supporting Equal Taxing Authority for Virginia Counties.

Motion was offered by Ms. Mallek to approve the Resolution Supporting Equal Taxing Authority for Virginia Counties.

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

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

NAYS: None.

ABSENT: Ms. LaPisto-Kirtley

**RESOLUTION OF THE ALBEMARLE COUNTY BOARD OF SUPERVISORS
SUPPORT FOR EQUAL TAXING AUTHORITY FOR VIRGINIA COUNTIES**

WHEREAS, under the Code of Virginia county governments have less authority to raise revenues to meet their responsibilities than do cities and towns, and

WHEREAS, limitations on counties' ability to raise revenues from diverse sources result in an over-reliance on real property taxes to fund basic services of local government; and

WHEREAS, counties are limited in their ability to raise revenues from meals, cigarette, transient occupancy, and admissions taxes that are available to cities and towns; and

WHEREAS, providing counties equal taxing authority merely provides local boards of supervisors the ability to levy the same taxes that may already be imposed by city councils; and

WHEREAS, county governments have the same responsibility as cities for the funding of and meeting state requirements for core services, such as K-12 education, public safety, social services, and public health; and

WHEREAS, relying too heavily on one source of revenue leaves counties vulnerable to downturns in the real estate market and population shifts; and

WHEREAS, additional tools to raise revenues would allow counties options to invest the necessary additional funds to respond to modern-day challenges, such as enhancing election cybersecurity; providing mental health treatment in jails; addressing substance abuse; maintaining vital infrastructure, such as water and sewer systems; and implementing Next-Generation 911 technology; and

WHEREAS, state enabling legislation is required to provide counties with this additional taxing authority; and

WHEREAS, each locality is best positioned to determine the appropriate mix of revenue sources to meet local needs;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Albemarle, Virginia, does hereby resolve and express its support and desire for the Virginia General Assembly to enact such legislation as is necessary to authorize Virginia counties to exercise additional taxing authority equal to that of cities and towns.

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

There were none.

Agenda Item No. 25. Adjourn.

At 9:11 p.m., the Board adjourned their meeting to February 5, 2020 at 1:00 p.m. in Lane Auditorium.

Approved by Board
Date 07/01/2020
Initials CKB

Chairman