

A regular meeting of the Board of Supervisors of Albemarle County, Virginia, was held on February 5, 2020 at 1:00 p.m., Lane Auditorium, Second Floor, County Office Building, McIntire Road, Charlottesville, Virginia.

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

ABSENT: None.

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

Agenda Item No. 1. Call to Order. The meeting was called to order at 1:00 p.m., by the Chair, Mr. Gallaway.

Mr. Gallaway also introduced staff present and the presiding security officers, Officer Dana Reeves and Officer Eric Reuschling.

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Agenda Item No. 2. Pledge of Allegiance.

Agenda Item No. 3. Moment of Silence.

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Agenda Item No. 4. Adoption of Final Agenda.

Ms. McKeel asked to add a discussion of the Biscuit Run funding letter to the General Assembly to Agenda Item 21. From the Board: Committee Reports and Matters Not Listed on the Agenda.

Mr. Gallaway announced that Agenda Item 19. Proposed Lease of Space for the Office of Voter Registration and Elections was removed from the agenda.

Mr. Greg Kamptner (County Attorney) notified the Board that there was an amended resolution before the Board for Agenda Item 8.5. Motor Vehicle Safety Inspections.

Ms. Mallek asked to add a discussion regarding the Cost to Compete bill to Agenda Item 21. From the Board: Committee Reports and Matters Not Listed on the Agenda.

**Motion** was offered by Ms. Palmer to adopt the final agenda as amended.

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

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

NAYS: None.

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

Ms. Price said she had a couple conversations over the last couple weeks with parents of special needs children, and particularly those who have autism. She said there were two principle matters that came out of it, and one is the significance of the County's and local area's school system in being able to provide the level of education that it can.

Ms. Price said she spoke with a parent from a surrounding county, and because that county is not able to provide the educational needs of their child, the county has to pay for that student to be transported to Richmond every year, under State law. She said the expense that is being used simply for transportation is money that would be lost to the educational system, and so she was pleased that Albemarle does as much as it does.

Ms. Price said her second matter is that she spoke with the mother of a young man at her church named Jake who did some artwork, including a calendar she had. She said she would give this to the Clerk after the meeting so that others could see. She said as she looked through it, she was reminded of the movie Temple Grandin, about a young woman with autism who made a significant contribution to the cattle industry. She said it reminded her that every person has a way that they can contribute, and that Albemarle needs to continue to do what it is doing, and do even more to make sure that they don't lose sight of the fact that each of its residents has the ability to be a contributing member.

Ms. Price said she was very pleased with what they do there in Albemarle County, which helps families and the entire community.

Ms. Mallek said she had an update about the Crozet Master Plan. She said the prior week, they had the first meeting with the marketing consultant, who was very skilled and tuned into conversation with a large number of citizens who turned up, and so she was very encouraged about what she and her company from Birmingham, Alabama would gather up.

Ms. Mallek said that the last Sunday was the faculty open house and performance day at Crozet Arts. She said this is one of the two tenants who use the old Crozet Elementary School. She said Crozet School of the Arts has a half dozen or more studios, a theater, dance room, and music room in the lower level of the annex. She said the Field School uses the upstairs and shares use of the auditorium. She said it was wonderful to meet the instructors, who teach people all over the world and perform in first-rate symphonies and see them share their gifts with the community.

Ms. Mallek said the upcoming Saturday was Second Saturday, which is when the art galleries and studios in Crozet hold special events. She said their motto is, "Little Town, Big Art" with a symbol of the train. She said it is beginning to generate a lot of activity throughout the restaurants and businesses there as well.

Ms. Mallek said at the Historic Preservation Committee the prior week, the members of a Court Square study group from the City came to meet with the committee and said they are getting reenergized to redo their proposed draft for changes to the historic sign on the side of the courthouse. She said the committee declined to give them immediate feedback but asked to see the drafts when they are written so that they have a chance to review before making comments.

Ms. McKeel said she would hold her items until the Consent Agenda, as they were more relevant there.

Ms. Palmer said the Board was already aware, from Ms. Siri Russell's email, of the attendance at the recent Yancey Community Center Community Night. She said there was roller skating, bingo, and refreshments that were provided by the food pantry. She said over 200 people attended, which she thought was spectacular. She encouraged people to look at the community calendar for more events there.

Ms. McKeel noted it was difficult to find places to roller skate. She said she could remember roller skating at Greenwood.

Ms. Mallek said Greenwood still holds skating every Saturday.

Ms. Palmer said there were now two places for County residents to skate. She added that birthday parties at Yancey could happen in the future.

Ms. Mallek said she received a phone call the day before from the Administrative Clerk at the Virginia Alcohol Beverage Control Authority (Virginia ABC) in Richmond, notifying the Board that the application for the Camp Champion limited brewery license has been withdrawn and is now completely dead. She said she asked if this would be coming back at a later time, and the clerk told her no. She said the clerk told her that if someone chooses to open the application again, they will have to start from the beginning. She said notices would be sent out to the 77 people who were planning to come to the hearing with the information. She said she just received her change of location meeting letter that day, so it would take a while for the written notices to come.

Ms. McKeel said this was good news.

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#### Agenda Item No. 6. Proclamations and Recognitions.

##### Item No. 6.a. Proclamation Celebrating Black History Month

Ms. McKeel **moved** to adopt the Proclamation Celebrating Black History Month and read the proclamation aloud. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

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

Ms. Siri Russell said she spent that morning delivery the Traveling Soil Exhibit to the Defense Intelligence Agency and were able to present to them information about the Board's Community Remembrance Project as a part of their celebration of African American history that February. She said the soil exhibit continues to penetrate into the broader community and thanked the Board for its continued investment in the project.

Ms. Mallek said with all the work that Ms. Russell, her department, and the community at large were doing, there would be a whole new cast of characters in history to recognize the next February, as there is much more storytelling going on.

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#### Proclamation Celebrating Black History Month

**WHEREAS,** Black History Month, celebrated during the month of February, originated in 1926 to recognize the heritage and achievements of Black people in the United States; and

**WHEREAS,** since its founding, Albemarle County has imperfectly progressed toward its mission of enhancing the well-being of all its residents; and

**WHEREAS,** following the Civil War, 52% of the local population were freed and soon thereafter, established a vibrant community of black-owned farms and homesteads known as Union Ridge that stretched across three miles, connecting present-day Hydraulic, Georgetown, and Woodburn roads; and

**WHEREAS,** Isabella Gibbons established a school for freed people in Albemarle County upon her emancipation at the end of the Civil War; and Rives Minor and Jesse Scott Sammons were long-term educators at the Union Ridge Grade School, established in 1886; and Mary Carr Greer was instrumental to its expansion when it became the Albemarle Training School in 1893 and served as the first and only four-year high school for the County's Black students until 1959; and John Gibbons Shelton, principal of the Albemarle Training School, also ran and edited the area's Black newspaper; and Dr. George R. Ferguson was the first Black physician with a sustained practice in Albemarle County from the early 1900s until 1932; and

**WHEREAS,** the substantial contributions of Albemarle County's Black residents to the County's history have not always been adequately recognized.

**NOW, THEREFORE, BE IT RESOLVED,** that we, the Albemarle County Board of Supervisors, do hereby acknowledge the importance of celebrating Black History Month as an opportunity for all County residents to recognize the social, physical, and cultural contributions of Black Americans, and to reflect on the complex history of Albemarle County in order to create a stronger and more resilient community in the future.

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

Mr. Gallaway opened Matters from the Public.

Mr. Randy Rodgers, Manager of Community Services at Jefferson Area Board for Aging (JABA), said one of the programs JABA provides the community is insurance counseling. He said this is a free service that's part of a federal program called SHIP (State Health Insurance Assistance Program) that provides unbiased advice to people who are on Medicare.

Mr. Rodgers said JABA has also added ACA counseling to the program.

Mr. Rodgers said JABA's insurance counseling helps people understand their health insurance options so they can live a healthier and more financially secure life. He said though this is a year-round program, and they are helping people as they speak, he was there to update the Board on what they did last fall during Medicare's Open Enrollment. He said if someone is not on Medicare, they may not know what Open Enrollment is, and if one is on Medicare, they may not understand what Open Enrollment is.

Mr. Rodgers said between October 15 and December 7, every Medicare beneficiary is given the opportunity to look at and change their prescription insurance or their Medicare Advantage plan. He said this is important because every one of the plans changes things about them every year. He said what may be covered one year under the plan might not be covered the next year under the plan.

Mr. Rodgers said he frequently hears from people that they like their plans and want to keep them. He said this was not an option because they would be receiving next year's version of that plan, whether it works for them or not. He said it is important that they sit down with a Medicare volunteer counselor who is vetted, trained, and tested, to work together to get the person's information into Medicare.gov and make a decision about what is the best plan for them for next year.

Mr. Rodgers said 55% of the people they counseled that year needed to change plans. He said those people were going to pay too much for their insurance and prescriptions. He said by helping them, JABA saved them \$1.7 million. He said the average person saved about \$1,000 or more, and it was not just a financial issue because if one cannot afford their prescriptions, they won't take their prescriptions, making it a health issue also.

Mr. Rodgers said JABA increased the number of people they saw from the previous year from about 2,300 people to about 3,300 people, and that in Albemarle County, they went from 1,040 people to 1,643 people they helped, which was a 58% increase. He said they opened a second office, and that their mobile unit went to many more places (like Yancey). He said they also did an aggressive advertising campaign for this, and that the people of Albemarle County responded to it and in the end, saved \$1.1 million on their prescriptions for next year.

Mr. Rodgers thanked the volunteers who made this possible, as well as the Board for its support of the program.

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Ms. Judy Schlusel (Rio District) said she is a member of the Rio29 CAC. She said there is a plethora of development taking place and is planned for the Rio-29 Belvedere Corridor. She said all of these developments, with such rapid growth, are putting a strain on the antiquated infrastructure.

Ms. Schlusel asked the Board to come on a journey with her to the year 1770, where they are

friends with Thomas Jefferson and where their social circle includes James Madison and James Monroe. She said Jefferson probably enjoyed making the journey by horse to socialize at the Dunlora Plantation, home of his friend Dabney Carr who married his sister Martha. She said there was no GPS, but that he traveled this route frequently, which was down the windy road currently known as Route 53, onto Route 20 to the Downtown area, then onto Route 10 known as Park Street/Rio Road. She said the roads were unpaved, wide enough for a horse and perhaps a buggy.

Ms. Schluskel said in 2020, some of these roads may have gone from one lane to two lanes in some areas, with the same basic footprint, and are now paved. She said there is much more traffic, however, than in the 1770s. She said VDOT has indicated that they keep looking at the Rio-29 Corridor not only to ease the congestion, but to improve safety. She said improvements take time, however, and the all-important factor of money.

Ms. Schluskel said rather than to continuously approve rezoning requests as separate entities, the Board should look at the big picture. She said no one can predict the future, but it was certain Albemarle County (especially the Rio-29 Corridor) appears to be growing at warp speed. She asked if Albemarle County was doing any type of outreach to bring businesses into the area so the increased housing can be justified. She said the next step would be to evaluate how many residential single-family and multifamily units are really needed.

Ms. Schluskel said aesthetically, the proposed 999 project located in the referenced 29 Corridor is too busy, and isn't the right design for the less-than-two-acre parcel. She said the developer did redesign the unfavorable commercial entity voiced by the Board in September from three stories to one. She said in its place, however, the developer is now proposing five three-story townhouses facing Belvedere Boulevard that will have the appearance of towering over the 6,000-square-foot building housing a commercial entity. She said this portion of the development will have an entrance onto Belvedere Boulevard, and that staff has indicated this meets the qualifications for Neighborhood Model.

Ms. Schluskel said the plan seems to imply that this is two separate entities, with the townhomes and commercial having their private entrance, and the cluster of homes having their own private entrance. She said this does not appear to have any cohesiveness or connectivity between the two sections. She asked if the closely aligned entrances on Belvedere Boulevard be acceptable by VDOT standards in allowing the school buses to pick up and drop off at A.M. and P.M. without disrupting the traffic flow. She said while change is inevitable, at what expense should projects be rezoned for approval.

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Mr. Kent Schluskel (Rio District) said he has spoken to the Board several times about the rezoning of 999 Rio Road. He said two weeks earlier, he urged the Board not to rezone this property and talked to them about the Comprehensive Plan. He said there were many reasons not to approve the rezoning when it comes before the Board in a few weeks.

Mr. Schluskel said reviewing past Board decisions dealing with major concerns about commercial aspects on the property and traffic, the developer has stated they are working with VDOT and that an R-cut was being considered, which is what he wanted to discuss with the Board.

Mr. Schluskel said he researched and studied R-cuts and that for three years of his military career, he worked for the Joint Chief of Staff at the Pentagon doing logistical and transportation studies. He said since he last talked to the Board about R-cuts, he also consulted a professional engineer who was a senior design engineer on the Berkmar Bridge. He said the company was a team member who designed the Berkmar Extension. He disclosed that the engineer is also his son, who received an excellent education in the County Schools K-12 before going to college.

Mr. Schluskel said the information in his presentation is from the Federal Highway Administration (FHA). He said R-cuts are a basic form of a U-turn, and that there are several different types that all require additional land. He said to do the R-cut some place down Rio Road from Belvedere would be very costly.

Mr. Schluskel said the applicant has stated in their application, "We'll coordinate with VDOT and dedicate a right of way needed for future improvements." He said the right of way needed is not owned by the applicant. He said according to the Federal Highway Administration, any R-cut requires an acquisition of land. He said for the County, this more than likely means a widened railroad bridge, as well as Rio Road itself. He said it will also essentially cut off several businesses along Rio Road.

Mr. Schluskel said on the south side of Rio Road, between Belvedere and Greenbrier (about 1,000 feet), there are six driveways on one street, not counting Greenbrier and Belvedere. He said on the south side, there are another six driveways, and an entrance to a church across from Belvedere Boulevard.

Mr. Schluskel said there are many issues with the R-cut, and that it would probably ruin several businesses along the way and cause even more problems.

Mr. Schluskel said if Rio Road is not widened at the railroad bridge, the other logical choice is reduction of the number of thru lanes, which is also not a good option. He said the solution would be very costly to the County in terms of construction and reduction of tax revenue and would not be made up by the proposed developments.

Mr. Schluskel said with additional traffic coming with the opening of The Center, the development of Belvedere, and the soccer fields, they do not need additional vehicles with the development. He urged the Board to review the FHA document, and not to make a poor traffic situation worse. He said for the safety of the citizens of the County, he would urge the Board not to rezone the property.

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Ms. Susan Kruse, Executive Director of the Charlottesville Climate Collaborative (C3), thanked the Board for agreeing to add the "We Are Still In" coalition letter to its agenda. She said when the Trump administration pulled out of the Paris Climate Agreement, there was an extraordinary reaction. She said businesses, universities, cities, and counties like Albemarle began making their own commitments to ambitious climate action. She said over 3,000 entities, including Albemarle County and the City of Charlottesville, have now made bold commitments to join this coalition and stay in the Paris Climate Agreement. She said communities in particular have an incredible ability to swiftly reduce climate emissions.

Ms. Kruse said in Virginia, 88% of the population lives in urban and suburban communities. She said the General Assembly is considering a number of proposals to advance climate action. She said Albemarle, Charlottesville, Blacksburg, Richmond, Arlington, Alexandria, and Roanoke have all set ambitious climate targets and now have the opportunity to band together to demand the adoption of State-level policies to help them achieve these targets.

Ms. Kruse said C3 submitted a letter for the Board's consideration, addressed to the General Assembly, which was organized by the We Are Still In Coalition, outlining the opportunity for State-level action to reduce grid-level emissions, increase funding for energy efficiency programs and public transportation, and remove barriers to renewable energy.

Ms. Kruse encouraged the Board to sign onto the letter and join the coalition in what she hopes will be the first of many opportunities for climate-minded communities to use their collective power to demand the changes that are essential to help avoid the most catastrophic impacts of climate change. She again thanked the Board for adding this to their agenda. She encouraged the Board to reach out to her personally, or to C3, if they can be of any assistance to the Board on this or other matters.

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Ms. Putnam Ivey de Cortez (White Hall District) said she works at the Health Department and was also attending with some core partners from Sentara Martha Jefferson Hospital, UVA Health, and the UVA Department of Public Health Sciences. She said they were there to present the Board with copies of the 2019 Map2Health report.

Ms. Ivey de Cortez said Map2Health is the district's health assessment process. She said the 2019 process focused on health equity across the format priorities of healthy eating and active living, mental health and substance use, health disparities and access to care, and fostering a healthy and connected community for people of all ages. She said the process involved representation from 146 different agencies, organizations, departmental divisions, and community coalitions.

Ms. Ivey de Cortez said they reviewed a lot of data as part of the process, and that the Board would find a great deal of that data in the second half of the report. She said they also heard from a community-led diabetes steering committee around preventing and treatment Type II Diabetes in communities of color, especially African American and Latino community members.

Ms. Ivey de Cortez said almost all the photos in the report were taken by community members as part of Photo Voice projects across the districts, including two projects in Albemarle County at the Scottsville and Esmont Community Center for JABA, as well as the Southwood Boys and Girls Club. She said each photo includes a caption to note which project it was from.

Ms. Ivey de Cortez said in conclusion, she would like to thank Albemarle County staff who participated in the process and extend an invitation to everyone. She said they were holding a Map Celebration Party on Wednesday, March 25, 5:30-7:30 p.m. at the Jefferson School African American Heritage Center. She said there would be a formal email invitation to follow.

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Dr. Charles Battig (Scottsville) said the Board had just heard 100% political appeal to do something, with 0% science. He said he was trying to correct that each time he speaks there.

Dr. Battig said there was a mild winter so far, and for some people, this would be an indication of global warming or something disastrous. He said last year, Alaska had its warmest year ever, and January of this year, they had their coldest ever spell. He said climate and weather is changing, and that human activity has nothing to do with it.

Dr. Battig said in 2007, he attended the Virginia Climate Action Conference and heard similar appeals to do various things based on Al Gore's popularity at the time. He said one thing presented was the Lake Lanier disaster at the reservoir to Atlanta was drying up, proving global warming. He said they never heard anything more about it. He said that January, the reservoir was up to 1,070 feet, which is one foot shy of full. He said they never hear follow-up to these matters, and only hear about disaster.

Dr. Battig said there were changes in the temperature. He showed a temperature chart, noting that blowing up the chart would serve as a scare tactic. He said they hear about hottest years, and that

climatologist Gavin Schmidt compares temperature changes of one one-hundredth of a degree from year to year. He said the instruments can't measure that well and that he says these are meaningless. He said when they hear that one year is the hottest, they never hear by how much hotter.

Dr. Battig said climate deaths are going down. He presented a chart about this. He said food production is up, despite fears about starvation. He said there has been no change in the amount of drought worldwide. He said there are no trends up or down as far as hurricanes, and that the same applied to snow.

Dr. Battig said one or two EVs were not going to do anything about carbon. He said one Board member was worried about the fires in Australia last time, and that since then, over 200 people have been arrested. He said 1.5% burned last year, and 25 years ago, 10 times as much burned.

Dr. Battig asked what was driving the Board's policy, suggesting that it was not science. He said he was trying to present some educational facts.

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Ms. Jamie Pudnorodsky (Rio District) said she is a member of the Church of Incarnation, which is a member of IMPACT (Interfaith Movement Promoting Action by Congregations Together). She said the Board would be hearing an update on the process of the development of a housing policy later. She said she didn't think it included the draft of the policy, but that she understood that this draft includes an affordable housing fund, which IMPACT strongly supports, along with any other means of increasing affordable housing in the community.

Ms. Pudnorodsky said she hoped that all the Supervisors will prioritize affordable housing in the policy adoption and the budget.

Ms. Pudnorodsky said IMPACT does not support individual projects, but as an individual member of the Rio District living in Dunlora, she would like to speak as an individual in favor of rezoning in the growth areas that have already been identified by the County government. She said the Regional Housing Assessment did find a need for increased housing in the area, especially affordable housing. She said although some of the proposed projects don't afford the level of affordability that she would like to see, it does include some workforce affordability of the 80% AML (area median income) and above. She said anything that will help at any level of affordability is needed.

Ms. Pudnorodsky said in an article in a local publication, transportation experts reported that the only way to make traffic better on a key corridor of Rio Road may be the one thing that neighbors worry will make it worse, which is adding more housing. She said the idea that people will travel to Charlottesville for jobs from far away is not going to increase the traffic that is already coming from far away if their housing is there where they need it, close to their jobs. She said they don't need to continue to make their neighbors move out to areas that they can afford, as they need to be able to afford to live where they work.

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Ms. Laura Allen said she was attending from Cville 100, which is a coalition of local environmental and other groups that are concerned about climate action and climate change. She said they have been advocating in the area for those measures for over two years and working closely with everyone available to make that happen in a positive and actionable manner.

Ms. Allen said Cville 100 urges the Board to vote in favor of joining the "We Are Still In" Coalition. She said she was in Richmond the day before, where activist from all over the State, as well as renewable energy industry representatives, turned out to support a full docket of clean energy bills. She said the Virginia Legislature has shifted, and bills supporting energy efficiency measures, renewable energy sources, and climate action plans that are equitable and just are making significant strides. She said these plans saw significant support and are currently making their way through the legislative process, where they will become law, receiving funding, and be ready to support the measures that We Are Still In provides.

Ms. Allen said the things the Board was doing are bigger than just the County or City, but also affect the State and nation. She said Cville 100 strongly urges the Board to join We Are Still In.

Mr. Gallaway closed Matters from the Public.

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#### Agenda Item No. 8. Consent Agenda.

Ms. McKeel said she didn't want to pull the item about safety inspection data, but that while it was worthy to have the information on the Consent Agenda, she would like the public to hear about it, and that she would like Mr. Kamptner to provide a quick update.

Ms. McKeel said House Bill 130 was gone, and that Senate Bill 125 was the one that was still active.

Mr. Kamptner replied this was correct and that it was going to Senate Committee the next day.

Ms. McKeel said the Consent Agenda item simply states the Board's concern and opposition

about taking away car safety inspections on an annual basis. She said there was interesting information that she hadn't known and that she wanted to share it publicly.

Ms. McKeel said it was interesting to her that the average vehicle on the Virginia highway is 11.8 years old, meaning that the importance of safety inspections is even greater. She said statistics from Virginia State Police show that vehicles manufactured in 2009-2011 or earlier fail their safety inspections 29% of the time.

Ms. McKeel said it was also interesting that the State Police reported there were 8,209,716 motor vehicles inspected in 2018, and that 20% of those vehicles failed. She said they didn't fail because they had a broken headlight, but because they failed a critical safety inspection. She said looking at what this is, it includes brakes, not having a driver's seat (which was hard to believe), exhaust systems (which relates to environmental and noise pollution), the frame of a car, fuel systems, and drive shafts.

Ms. McKeel said there was recently a wreck on Hydraulic Road where a van ran into one of the murals because its power steering went away. She said she was not saying for sure that this was due to lack of inspection but wanted to point out that there is a reason why there are annual safety inspections. She said she thought it was worth sharing this information with the public.

Ms. McKeel said in 2018, the U.S. Department of Transportation study found that Virginia had 9.6 traffic deaths per 100,000 population, which was below the national average. She said when South Carolina did away with their motor vehicle safety inspection program, their traffic deaths rose by 29.4% in the 11 years after it repealed the program.

Ms. McKeel said the Board has asked the Clerks to send this onto the Senate Committee on Transportation and the Director of Legislative Services. She said she would also like to add that Delegate Sally Hudson reached out to her and would very much like to see what the Board has passed, as well as the data. She asked that Delegate Hudson, as well as all their other representatives, be sent this information.

Ms. Mallek **moved** to approve the consent agenda as amended. Ms. Palmer **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

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

Item No. 8.1. Approval of Minutes: June 19 and July 17, 2019.

**Mr. Gallaway had read the minutes of June 19 and July 17, 2019 and found them to be in order.**

**By the above-recorded vote, the minutes of June 19 and July 17, 2019 were approved as read.**

Item No. 8.2. FY 2020 Appropriations

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

The total change to the FY 20 budget due to the appropriations itemized in Attachment A is \$4,954,707.83. A budget amendment public hearing is not required because the amount of the cumulative appropriations does not exceed one percent of the currently adopted budget.

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

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<b>Appropriation #2020048</b>		<b>\$ 1,959.00</b>
Source:	State Revenue	\$1,959.00

This request is to appropriate \$1,959.00 in additional State grant funding from the Department of Criminal Justice Services, with the County acting as fiscal agent, to Offender Aid and Restoration (OAR) for staff development and/or the advancement of evidence based practices. This is the second revision to the grant award amount.

<b>Appropriation #2020049</b>		<b>\$ 1,345,013.00</b>
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Source:	State Revenue	\$1,345,013.00
	Transportation Leveraging Program*	\$1,345,013.00

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

This request is to appropriate a total of \$2,690,026.00 for the Berkmar Drive Bicycle and Pedestrian Improvements Project pursuant to the Board of Supervisors' approval on November 8, 2017. This includes \$1,345,013.00 in currently appropriated Transportation Leveraging Program funds and \$1,345,013.00 in Virginia Department of Transportation (VDOT) Revenue Sharing funds. This project will support pedestrian and bicyclist safety by constructing an approximately 0.8-mile-long Shared-use Path from just south of Woodbrook Drive to Hilton Heights Road to connect to the new Shared-Use Path on Berkmar Extended.

**Appropriation #2020050** **\$ 3,607,735.83**

Source:	School Special Revenue Funds' fund balances	\$3,607,735.83
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This request is to appropriate the following School Division appropriation requests approved by the School Board on December 12, 2019. The following requests are to appropriate the prior year fund balance of various special revenue funds to be expended in accordance with the specific requirements for each individual fund:

- Requests the appropriation of \$489.05 for the Fresh Fruit and Vegetable Fund to provide students with nutrition education and a fresh fruit or vegetable snack twice a week.
- Requests the appropriation of \$901.68 for the Migrant Fund to identify and serve all eligible migrant students residing within the regional district (Albemarle, Alleghany, Augusta, Charlottesville, Chesterfield, Culpeper, Cumberland, Fluvanna, Goochland, Greene, Hanover, Louisa, Lunenburg, Madison, Nelson, Nottoway, Orange, Rockbridge, Staunton and Waynesboro).
- Requests the appropriation of \$193,382.26 for Miscellaneous Grants Fund for various small grants received by the School Division. These grants typically are under \$5,000, with the majority of them between \$500 to \$1,000. Grants received may be for a wide variety of areas including the arts, field trips, classroom specific projects, school-wide projects, etc. The primary criteria for grants included in this fund are that they are non-recurring and under \$25,000.
- Requests the appropriation of \$22,309.08 for Miscellaneous Grants-Career and Technical Education (CTE)/Technology Fund for various grants received by the School Division designated solely for career and technical education or technology education. These grants may range from under \$5,000 and up to \$25,000. Grants received are typically used for the purchase of technology equipment, industry certification exams, licensure tests and occupational competency assessments for students enrolled in high school CTE courses, and project specific expenses which may include travel, field trips and supplies.
- Requests the appropriation of \$7,559.76 for the Economically Dislocated Worker's Fund to collaborate with institutions, agencies, and businesses, when requested, to provide tutoring and classes tailored to the individualized needs of particular students. The Economically Dislocated Worker's Fund supports tutoring for high school students, workplace, family literacy and English for Speakers of Other Languages (ESOL) classes, and instruction in basic math and reading.
- Requests the appropriation of \$243.86 for the Blue Ridge Juvenile Detention Center (BRJDC) to provide regular and special education services to all eligible incarcerated youth residents within a safe, clean, healthy, and secure environment through a structured program.
- Requests the appropriation of \$16,696.97 for the Alternative Education Fund (ISAEP or Individual Student Alternative Education Plan) to supplement existing General Equivalency Diploma (GED) services by developing specialized occupational training and employment necessary for students 16 years of age or older to become productive and contributing citizens.
- Requests the appropriation of \$1,956.54 for the Algebra Readiness Fund is to provide mathematics intervention/tutoring services to middle school students who are at risk of failing the Algebra I end-of-course test.
- Requests the appropriation of \$613.33 for the KOVAR Corporation Grant to assist Virginians with intellectual disabilities by providing grant funding for specific projects and needs. As an example, these funds have been used to purchase iPad mini devices equipped with software to improve communication for students with intellectual disabilities at all grade levels.
- Requests the appropriation of \$32,883.75 for the Community Based Instruction Program (CBIP) of the Regional Reimbursement Program, facilitated through the Piedmont Regional Education Program (PREP), to assist local school divisions in providing a free and appropriate educational program for students with more moderate to severe autism or who have multiple disabilities that require a significant level of support. Albemarle County participates with eight other neighboring



school systems in the PREP. The regional approach seeks to provide high-quality services in a cost-effective manner.

- Requests the appropriation of \$30,000.00 for the Emotional Disabilities Program of the Regional Reimbursement Program, facilitated through PREP to assist local school divisions in providing a free and appropriate educational program for students with more moderate to severe emotional disabilities served in our public school programs. Albemarle County participates with eight other neighboring school systems in the PREP. The regional approach seeks to provide high-quality services in a cost-effective manner.
- Requests the appropriation of \$49.27 for the Title II fund to prepare, train, and recruit high quality teachers, principals, and paraprofessionals through professional development in best practices in curriculum, assessment, and instruction. The Title II Fund supports instructional coaches, private school professional development funds, and course reimbursement for teachers working toward full certification.
- Requests the appropriation of \$14,737.89 for the Pre-School Special Education Fund to provide supplemental support for the existing pre-school programs that serve students eligible for special education services. The Pre-School Special Education Grant is a 15-month Federal grant that runs from July 1 through September 30. This grant supports educational programming for pre-school special education students between the ages of two and five. Special education services provided through this grant include funding for part-time teaching assistants to serve pre-school students during the regular school year.
- Requests the appropriation of \$6,068.90 for the Carl Perkins Grant to support challenging academic and technical education (CTE) courses where students acquire knowledge and learn relevant technical applications of current and emerging careers while preparing for postsecondary studies and employment. The CTE curricula are focused around six program-specific areas: business and information technology, family and consumer sciences, health and medical sciences, marketing, technology education and engineering, and trade and industrial. Standard CTE course offerings are available in all middle and high schools. Advanced coursework and programs are also available through the three high school academies and dual enrollment coursework.
- Requests the appropriation of \$5,082.64 for the Special Education Jail Program to provide special education and related services to all eligible students incarcerated in the Albemarle-Charlottesville Regional Jail (ACRJ). The Individuals with Disabilities Education Act mandates that special education and related services be provided to all eligible students, including those who are incarcerated. Albemarle County Public Schools provides special education services to eligible inmates housed in the ACRJ. The Virginia Department of Education will reimburse the School Division for the costs associated with these services. This grant provides special education services to all eligible students aged 18 through 21.
- Requests the appropriation of \$10,706.41 for the Project Graduation Grant to provide remedial instruction for students who received passing grades for standard credit-bearing courses but failed the required SOL assessment needed to verify credits to complete their diploma requirements. The courses supported are algebra I, geometry, algebra II, English: reading, English: writing, science, and/or history.
- Requests the appropriation of \$3,907.81 for the Integrated English Literacy and Civics Education (IELCE) grant to incorporate civics education into adult English Language Learners (ELL) classes where many participants are parents of Albemarle County students. Parents participating in their own educational pursuits positively affects their children's learning. The project incorporates instruction and activities, such as workforce preparation and digital literacy, to enhance the development of skills needed to enter the workforce and transition to postsecondary education.
- Requests the appropriation of \$36,776.97 for the Investing in Innovation Program (i3 grant). The Investing in Innovation Program is a natural progression from the growing emphasis in education on the "maker curriculum" in elementary, middle, and high schools. This approach emphasizes project-based learning in which students develop their creativity and critical analysis skills as well as their ability to work in teams and communicate their findings.
- Requests the appropriation of \$32,000.00 for the Science, Technology, Engineering, and Math (STEM) Early Learning through the Arts grant to enhance learning in science, technology, engineering, and mathematics through the arts for kindergarten and preschool students.
- Requests the appropriation of \$208,925.78 for the Community Education Fund to provide quality attention, thoughtful guidance, authentic experiences, and engaging activities to enhance and expand the learning of Albemarle County Students in an extended-day learning program. These programs are self-sustaining, funded entirely by the tuition and fees collected for their use. The Community Education Fund is responsible for the after-school enrichment program and the student holiday and spring break programs.
- Requests the appropriation of \$38,333.07 for the Families in Crisis Grant to provide an effective structure to meet the needs of homeless students, ensuring they receive equitable access to division services in order to succeed in school. The Families in Crisis Grant is responsible for

providing tutoring, assistance with school registration, transportation to the school of origin, collaboration with service agencies, counseling, home/School collaboration, and family engagement.

- Requests the appropriation of \$105,550.66 for the Drivers Safety Fund to offer driver’s education behind-the-wheel and motorcycle safety programs operating on a fee-for-service basis in support of the Division’s strategic plan. The Drivers Safety Fund supports drivers education at Albemarle High School, Monticello High School, and Western Albemarle High School, and a motorcycle rider training course.
- Requests the appropriation of \$81,014.31 for the Open Doors Fund to provide continuing education courses for approximately 3,000 community participants through a diverse range of tuition-based courses offered throughout the year. These courses foster lifelong learning skills in support of the Division’s strategic plan.
- Requests the appropriation of \$150,088.92 for the Summer School Fund to offer summer programs to students in grades K-8 who fail to meet academic standards in the areas of language arts or mathematics, and to high school students in grades 9-12 (with payment of fees) who either want to replace a grade earned during the regular school session or earn required credits for graduation in support of the Division’s strategic plan. The Summer School Fund is responsible for elementary remedial summer school, middle remedial summer school, high school summer school, SOL retakes, and summer enrichment programs.
- Requests the appropriation of \$4,975.27 for the Community Public Charter School Fund to provide an alternative and innovative learning environment, using the arts, to help children in grades six through eight learn in ways that match their learning styles. Seeking to serve students who have not succeeded in school, the program will close their achievement gap by offering a balance of literacy tutorials and an arts-infused curriculum. The Community Public Charter School Fund is responsible for the 6th - 8th grade instructional program, literacy and arts infused education, choice theory school development, and mastery learning.
- Requests the appropriation of \$5,249.00 for the Foundation for Excellence Fund to award teachers of all grade levels and subject areas with funds to support individual projects through an annual grant process.
- Requests the appropriation of \$50,931.24 for the Vehicle Replacement Fund, formerly called the School Bus Replacement Fund, to replace vehicles and ancillary equipment which are not eligible to be replaced in the Capital Improvement Program’s School Bus Replacement Program.
- Requests the appropriation of \$1,268,459.29 for the Computer Equipment Replacement Fund to ensure all eligible school staff and student designated computers and other instructional technology is replaced as it becomes obsolete, unsupported or unserviceable and retired from service.
- Requests the appropriation of \$1,246,843.57 for the Textbook Replacement Fund to provide teaching staff with necessary and contemporary learning resources that support implementation of Curriculum Framework, planning, instruction and assessment systems that promote student learning and close the achievement gap, as well as prepare all students to be college and workforce ready when they graduate. Funds that remain at the end of the fiscal year will be used to purchase learning resources and textbooks for students and teachers.
- Requests the appropriation of \$30,998.55 for the Internal Service - Vehicle Maintenance Fund to reflect the cost of repairing vehicles not operated by the school division and provide the school division with some revenue stream associated with these repairs. This fund is used as a means to capture costs that are not associated with the operation of our bus operations and facilities fleets. Local fire, rescue, police, and other qualifying organizations utilize these resources.

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

**RESOLUTION TO APPROVE  
ADDITIONAL FY 2020 APPROPRIATIONS**

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

- 1) That Appropriations #2020048; #2020049; and #2020050 are approved; and
- 2) That the appropriations referenced in Paragraph #1, above, are subject to the provisions set forth in the Annual Resolution of Appropriations of the County of Albemarle for the Fiscal Year ending June 30, 2020.

APP#	Account String	Description	Amount
2020048	3-1520-24000-324000-240440-1003	SA2020048: OAR DCJS Grant Award - Staff Dev. & EBP 2nd Award Revision	\$1,959.00

2020048	4-1520-29406-421090-566120-1003	SA2020048: OAR DCJS Grant Award - Staff Dev. & EBP 2nd Award Revision	\$1,959.00
2020049	4-9010-41020-441200-950081-9999	SA2020049: Transportation Leveraging Program Distribution to Berkmar Bike Ped.	-\$1,345,013.00
2020049	4-9010-41350-441200-950531-9999	SA2020049: Berkmar Bike Ped Improvements	\$2,690,026.00
2020049	3-9010-24000-324000-240231-1420	SA2020049: Berkmar Bike Ped Improvements	\$1,345,013.00
2020050	3-3010-63010-351000-510100-6599	SA2020050 Fresh Fruits/Veg Program	\$489.05
2020050	3-3103-63103-351000-510100-6599	SA2020050 Migrant	\$901.68
2020050	3-3104-63104-351000-510100-6599	SA2020050 Misc Grants-Fund Balance	\$193,382.26
2020050	3-3105-63105-351000-510100-6599	SA2020050 CTE/Tech Grants-Fund Balance	\$22,309.08
2020050	3-3116-63116-351000-510100-6599	SA2020050 Economically Dislocated Workers	\$7,559.76
2020050	3-3120-63120-351000-510100-6599	SA2020050 VDOE BRJDC Grant	\$243.86
2020050	3-3142-63142-351000-510100-6599	SA2020050 Alternative Education	\$16,696.97
2020050	3-3152-63152-351000-510100-6599	SA2020050 Algebra Readiness-Fund Balance	\$1,956.54
2020050	3-3159-63159-351000-510100-6599	SA2020050 KOVAR Grant-Fund Balance	\$613.33
2020050	3-3201-63201-351000-510100-6599	SA2020050 CBIP-Fund Balance	\$32,883.75
2020050	3-3202-63202-351000-510100-6599	SA2020050 ED-Fund Balance	\$30,000.00
2020050	3-3203-63203-351000-510100-6599	SA2020050 Title II	\$49.27
2020050	3-3205-63205-351000-510100-6599	SA2020050 Preschool-Fund Balance	\$14,737.89
2020050	3-3207-63207-351000-510100-6599	SA2020050 Carl Perkins-Fund Balance	\$6,068.90
2020050	3-3212-63212-351000-510100-6599	SA2020050 SPED Jail Grant-Fund Balance	\$5,082.64
2020050	3-3217-63217-351000-510100-6599	SA2020050 Project Graduation-Fund Balance	\$10,706.41
2020050	3-3221-63221-351000-510100-6599	SA2020050 EL Civics Partnership	\$3,907.81
2020050	3-3225-63225-351000-510100-6599	SA2020050 i3 Grant-Fund Balance	\$36,776.97
2020050	3-3226-63226-351000-510100-6599	SA2020050 STEM Learning Through The Arts	\$32,000.00
2020050	3-3300-63300-351000-510100-6599	SA2020050 Community Education	\$208,925.78
2020050	3-3304-63304-351000-510100-6599	SA2020050 Families in Crisis	\$38,333.07
2020050	3-3305-63305-351000-510100-6599	SA2020050 Driver Safety	\$105,550.66
2020050	3-3306-63306-351000-510100-6599	SA2020050 Open Doors	\$81,014.31
2020050	3-3310-63310-351000-510100-6599	SA2020050 Summer School	\$150,088.92
2020050	3-3380-63380-351000-510100-6599	SA2020050 Community Public Charter School	\$4,975.27
2020050	3-3502-63502-351000-510100-6599	SA2020050 Foundation for Excellence-Shannon Grant	\$5,249.00
2020050	3-3905-63905-351000-510100-6599	SA2020050 School Bus Replacement	\$50,931.24
2020050	3-3907-63907-351000-510100-6599	SA2020050 Computer Equipment Replacement	\$1,268,459.29
2020050	3-3909-63909-351000-510100-6599	SA2020050 Textbook Replacement	\$1,246,843.57
2020050	3-3910-63910-351000-510100-6599	SA2020050 Vehicle Maintenance	\$30,998.55
2020050	4-3010-63010-460204-600220-6520	SA2020050 Fresh Fruits/Veg Program	\$489.05
2020050	4-3103-63103-461101-580000-6530	SA2020050 Migrant	\$500.00
2020050	4-3103-63103-461101-601300-6530	SA2020050 Migrant	\$401.68
2020050	4-3104-63104-460700-601300-6530	SA2020050 Misc Grants-Fund Balance	\$193,382.26
2020050	4-3105-63105-460700-601300-6530	SA2020050 CTE/Tech Grants-Fund Balance	\$22,309.08
2020050	4-3116-63116-463348-132100-6530	SA2020050 Economically Dislocated Workers	\$3,346.57
2020050	4-3116-63116-463348-135000-6530	SA2020050 Economically Dislocated Workers	\$2,591.07
2020050	4-3116-63116-463348-210000-6530	SA2020050 Economically Dislocated Workers	\$454.23
2020050	4-3116-63116-463348-550100-6530	SA2020050 Economically Dislocated Workers	\$300.00
2020050	4-3116-63116-463348-580500-6530	SA2020050 Economically Dislocated Workers	\$267.89
2020050	4-3116-63116-463348-600100-6530	SA2020050 Economically Dislocated Workers	\$300.00
2020050	4-3116-63116-463348-601300-6530	SA2020050 Economically Dislocated Workers	\$200.00
2020050	4-3116-63116-463348-601700-6530	SA2020050 Economically Dislocated Workers	\$100.00
2020050	4-3120-63120-461101-601300-6306	SA2020050 VDOE BRJDC Grant	\$243.86
2020050	4-3142-63142-460410-112100-6530	SA2020050 Alternative Education	\$14,953.06
2020050	4-3142-63142-460410-210000-6530	SA2020050 Alternative Education	\$1,143.91
2020050	4-3142-63142-460410-601300-6530	SA2020050 Alternative Education	\$600.00
2020050	4-3152-63152-463333-132100-6530	SA2020050 Algebra Readiness-Fund Balance	\$1,817.50
2020050	4-3152-63152-463333-210000-6530	SA2020050 Algebra Readiness-Fund Balance	\$139.04
2020050	4-3159-63159-461102-800100-6599	SA2020050 KOVAR Grant-Fund Balance	\$613.33
2020050	4-3201-63201-461102-112100-6499	SA2020050 CBIP-Fund Balance	\$22,883.75
2020050	4-3201-63201-461102-210000-6499	SA2020050 CBIP-Fund Balance	\$10,000.00

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2020050	4-3202-63202-461102-112100-6499	SA2020050 ED-Fund Balance	\$10,500.00
2020050	4-3202-63202-461102-113200-6501	SA2020050 ED-Fund Balance	\$4,500.00
2020050	4-3202-63202-461102-114100-6499	SA2020050 ED-Fund Balance	\$10,500.00
2020050	4-3202-63202-461102-210000-6499	SA2020050 ED-Fund Balance	\$4,500.00
2020050	4-3203-63203-461311-580500-6530	SA2020050 Title II	\$49.27
2020050	4-3205-63205-461108-114100-6499	SA2020050 Preschool-Fund Balance	\$10,307.52
2020050	4-3205-63205-461108-210000-6499	SA2020050 Preschool-Fund Balance	\$4,430.37
2020050	4-3207-63207-461190-580500-6530	SA2020050 Carl Perkins-Fund Balance	\$1,000.00
2020050	4-3207-63207-461190-601300-6530	SA2020050 Carl Perkins-Fund Balance	\$1,000.00
2020050	4-3207-63207-461190-800100-6530	SA2020050 Carl Perkins-Fund Balance	\$4,068.90
2020050	4-3212-63212-461102-601300-6530	SA2020050 SPED Jail Grant-Fund Balance	\$5,082.64
2020050	4-3217-63217-461101-132100-6530	SA2020050 Project Graduation-Fund Balance	\$9,945.57
2020050	4-3217-63217-461101-210000-6530	SA2020050 Project Graduation-Fund Balance	\$760.84
2020050	4-3221-63221-461101-132100-6530	SA2020050 EL Civics Partnership	\$3,630.11
2020050	4-3221-63221-461101-210000-6530	SA2020050 EL Civics Partnership	\$277.70
2020050	4-3225-63225-461313-601300-6530	SA2020050 i3 Grant-Fund Balance	\$18,776.97
2020050	4-3225-63225-461313-800100-6530	SA2020050 i3 Grant-Fund Balance	\$18,000.00
2020050	4-3226-63226-461101-301210-6530	SA2020050 STEM Learning Through The Arts	\$32,000.00
2020050	4-3300-63300-465301-115000-6521	SA2020050 Community Education	\$40,000.00
2020050	4-3300-63300-465301-119401-6521	SA2020050 Community Education	\$30,000.00
2020050	4-3300-63300-465301-119402-6521	SA2020050 Community Education	\$25,000.00
2020050	4-3300-63300-465301-159400-6521	SA2020050 Community Education	\$30,000.00
2020050	4-3300-63300-465301-210000-6521	SA2020050 Community Education	\$10,000.00
2020050	4-3300-63300-465301-221000-6521	SA2020050 Community Education	\$10,000.00
2020050	4-3300-63300-465301-231000-6521	SA2020050 Community Education	\$15,000.00
2020050	4-3300-63300-465301-232000-6521	SA2020050 Community Education	\$10,000.00
2020050	4-3300-63300-465301-241000-6521	SA2020050 Community Education	\$15,000.00
2020050	4-3300-63300-465301-242000-6521	SA2020050 Community Education	\$8,925.00
2020050	4-3300-63300-465301-601300-6521	SA2020050 Community Education	\$15,000.78
2020050	4-3304-63304-461101-579001-6530	SA2020050 Families in Crisis	\$20,000.00
2020050	4-3304-63304-461101-580004-6530	SA2020050 Families in Crisis	\$18,333.07
2020050	4-3305-63305-461144-132100-6301	SA2020050 Driver Safety	\$20,000.00
2020050	4-3305-63305-461144-132100-6302	SA2020050 Driver Safety	\$18,000.00
2020050	4-3305-63305-461144-132100-6304	SA2020050 Driver Safety	\$18,000.00
2020050	4-3305-63305-461144-210000-6301	SA2020050 Driver Safety	\$1,530.00
2020050	4-3305-63305-461144-210000-6302	SA2020050 Driver Safety	\$1,377.00
2020050	4-3305-63305-461144-210000-6304	SA2020050 Driver Safety	\$1,377.00
2020050	4-3305-63305-461144-601300-6301	SA2020050 Driver Safety	\$5,000.66
2020050	4-3305-63305-461237-132100-6530	SA2020050 Driver Safety	\$18,000.00
2020050	4-3305-63305-461237-210000-6530	SA2020050 Driver Safety	\$1,377.00
2020050	4-3305-63305-461237-312700-6530	SA2020050 Driver Safety	\$15,889.00
2020050	4-3305-63305-461237-601300-6530	SA2020050 Driver Safety	\$5,000.00
2020050	4-3306-63306-460000-115000-6301	SA2020050 Open Doors	\$25,514.31
2020050	4-3306-63306-460000-135000-6301	SA2020050 Open Doors	\$15,000.00
2020050	4-3306-63306-460000-210000-6301	SA2020050 Open Doors	\$5,000.00
2020050	4-3306-63306-460000-221000-6301	SA2020050 Open Doors	\$5,000.00
2020050	4-3306-63306-460000-231000-6301	SA2020050 Open Doors	\$5,000.00
2020050	4-3306-63306-460000-232000-6301	SA2020050 Open Doors	\$5,000.00
2020050	4-3306-63306-460000-241000-6301	SA2020050 Open Doors	\$5,000.00
2020050	4-3306-63306-460000-312700-6301	SA2020050 Open Doors	\$10,000.00
2020050	4-3306-63306-460000-601300-6301	SA2020050 Open Doors	\$5,500.00
2020050	4-3310-63310-461120-117200-6599	SA2020050 Summer School	\$9,000.00
2020050	4-3310-63310-461120-132100-6599	SA2020050 Summer School	\$32,000.00
2020050	4-3310-63310-461120-137100-6599	SA2020050 Summer School	\$10,000.00
2020050	4-3310-63310-461120-210000-6599	SA2020050 Summer School	\$7,000.00
2020050	4-3310-63310-461120-420110-6599	SA2020050 Summer School	\$10,000.00

2020050	4-3310-63310-461120-601300-6599	SA2020050 Summer School	\$8,088.92
2020050	4-3310-63310-461124-117200-6599	SA2020050 Summer School	\$9,000.00
2020050	4-3310-63310-461124-132100-6599	SA2020050 Summer School	\$30,000.00
2020050	4-3310-63310-461124-137100-6599	SA2020050 Summer School	\$10,000.00
2020050	4-3310-63310-461124-210000-6599	SA2020050 Summer School	\$7,000.00
2020050	4-3310-63310-461124-420110-6599	SA2020050 Summer School	\$10,000.00
2020050	4-3310-63310-461124-601300-6599	SA2020050 Summer School	\$8,000.00
2020050	4-3380-63380-461101-132100-6280	SA2020050 Community Public Charter School	\$2,702.83
2020050	4-3380-63380-461101-210000-6280	SA2020050 Community Public Charter School	\$206.77
2020050	4-3380-63380-461101-601300-6280	SA2020050 Community Public Charter School	\$2,065.67
2020050	4-3502-63502-460606-601300-6599	SA2020050 Foundation for Excellence-Shannon Grant	\$5,249.00
2020050	4-3905-63905-462320-800506-6599	SA2020050 School Bus Replacement	\$50,931.24
2020050	4-3907-63907-468200-800700-6599	SA2020050 Computer Equipment Replacement	\$1,268,459.29
2020050	4-3909-63909-461101-601200-6599	SA2020050 Textbook Replacement	\$843.57
2020050	4-3909-63909-461101-601300-6599	SA2020050 Textbook Replacement	\$246,000.00
2020050	4-3909-63909-461101-602000-6599	SA2020050 Textbook Replacement	\$1,000,000.00
2020050	4-3910-63910-462341-600900-6599	SA2020050 Vehicle Maintenance	\$30,998.55

Item No. 8.3. Adoption of Amended Board Administrative Policies

The Executive Summary forwarded to the Board states that the Board of Supervisors considered proposed changes to its Administrative Policies (the “Policies”) on January 8, 2020. Supervisor Price provided the Board with notice of a motion to amend the Board’s Policies during the Board’s January 15, 2020 meeting. The Board’s Rules of Procedure require that the proposed amendments be considered by the Board at its first regular meeting following the notice of the motion to amend.

The proposed amendments to the draft Policies (Attachment A) are:

Policy 1(A)(2) (page 1): The current Policy limits mileage reimbursement to only those matters that are pending before the Board. The proposed amendment would allow Supervisors to be reimbursed for mileage to attend matters that are within the responsibilities of the Board, even if they are not pending before Board at that time.

Policy 1(A)(3) (page 1): The current Policy allows Supervisors to be reimbursed for mileage to attend parades and community gatherings to discuss County business, but not to attend a Supervisor’s “town hall meetings.” There are many forms of a town hall meeting, many of which are community gatherings to discuss County business. The proposed amendment would replace “town hall meetings” with “campaign events” as non-reimbursable gatherings.

Policy 4(B) (page 4): The current Policy provides that a Supervisor who serves without remuneration as a member of the board of trustees of a not-for-profit entity must disclose that fact at each meeting of the Board of Supervisors at which a matter pertaining to the not-for-profit entity is considered or acted upon. The current Policy does not require that the disclosure be made at the beginning of the meeting. The proposed amendment would require the disclosure to be made at the beginning of the meeting, thereby ensuring that other Supervisors and the public are aware of the disclosing Supervisor’s relationship to the not-for-profit before the matter is considered or acted upon.

The catchlines for Policies 1(A)(1), (2), and (3) are also proposed to be amended to more accurately describe the content of each Policy

There is no budget impact.

Staff recommends that the Board adopt the amended Policies.

**By the above-recorded vote, the Board adopted the amended Policies:**

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

**1. Travel Reimbursement**

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

- A. Routine Travel Expenses.** Supervisors may be reimbursed for the following routine travel expenses at the County’s authorized car mileage reimbursement rate, provided there are available funds:

1. **Mileage to Attend Board and Committee Meetings.** Mileage for travel by personal vehicle or other travel costs to scheduled Board meetings and Board committee meetings for committees to which a Supervisor is appointed, from home or work, if a work day, which is not part of routine personal travel. Travel to use the Board's County Office Building office between other personal travel or meetings, is not eligible for reimbursement.
  2. **Mileage to Attend Matters within the Board's Responsibilities.** Mileage for travel by personal vehicle or other travel costs to events reasonably necessary to prepare for matters within the Board's responsibilities (e.g., site visits, informational meetings, local ceremonies to which the Supervisor was invited or is related to a matter for which the Board or the County has an interest) which is not part of routine personal travel.
  3. **Mileage to Attend Parades and Other Community Gatherings.** Parades and other community gatherings, that are not campaign events, to discuss County business.
- B. Educational Conference Travel Expenses.** Supervisors may be reimbursed for the following educational conference travel expenses, provided there are available funds:
1. **Regional, Statewide, and National Meetings.** All necessary, actual, and reasonable meal, travel, and lodging costs (including gratuity and excluding alcohol) of attending regional, statewide or national meetings at which the Supervisor represents the County, as approved by the Board.
  2. **Legislative or Congressional Hearings.** All necessary, actual, and reasonable meal, travel, and lodging costs (including gratuity and excluding alcohol) of attending legislative or congressional hearings relating to official County business.
- C. Matters for Which Supervisors will not be Reimbursed.** Supervisors will not be reimbursed for the following travel expenses:
1. **Political Events.** Travel to events which are political in nature (*i.e.*, campaigning or partisan events).
  2. **Personal Expenses.** Personal expenses incurred during travel.
  3. **Travel Not Part of Duties.** Other travel which is not part of the statutory governmental duties of the Board of Supervisors that are not provided for in Subsections (C)(1) or (C)(2).
- D. Implementation.** This policy will be applied and overseen in the following manner:
1. **Reimbursement Requests.** Reimbursement requests shall be made in writing on forms provided by the Clerk of the Board (the "Clerk") and shall itemize the date, number of miles of travel, and purpose of the meeting. Mileage for use of a personal vehicle shall be reimbursed at the County's authorized car mileage reimbursement rate. Other reimbursements shall be for the amount of costs expended and shall be documented by receipts for actual amounts paid.
  2. **Clerk Review.** The Clerk, or his/her designee, will review all travel reimbursement requests and the Director of Finance will approve all travel reimbursement requests prior to reimbursement. No payment will be made for incomplete submissions or information.
  3. **Exhaustion of Funds.** When all allocated funds for Board reimbursements have been expended, there will be no further reimbursement for that fiscal year unless the Board appropriates additional funding.

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

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

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

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

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

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

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

1. **Appointments, Generally.** All appointments to boards, commissions, and committees based upon magisterial district boundaries will be made by the Board. The Board will consider and/or interview candidates recommended by the Supervisor of that district.
2. **Compilation of List of Expired Terms and Vacancies.** Prior to the first regular Board meeting each month, the Clerk will provide the Board a list of expired terms and vacancies that will occur within the next 60 days. The Board will then advise the Clerk which vacancies to advertise.
3. **Advertising Positions.** When the Board advises the Clerk which vacancies to advertise, the Clerk shall, in collaboration with the County's Director of Communications and Community Engagement, distribute notice of the vacancy on any board, commission, or committee through available and appropriate media in order to reach as many citizens as possible. The advertisement shall provide a brief description of the duties and functions of the board, commission, or committee, the length of term of the appointment, the frequency of meetings, the minimum qualifications necessary to fill the position, and the Board's expectations for appointees to attend meetings and to participate in other activities of the board, commission, or committee. An explanation of the appointment process for both magisterial and at-large appointments will also be sent to all applicants.
4. **Application Content.** The application form shall request information in the following areas: (i) the name of the board, commission, or committee to which the applicant seeks to be appointed; (ii) the name, address, and other contact information of the applicant; (iii) employment; (iv) County resident status and resident history; (v) family relationship (natural or legal offspring, parent, grandparent, spouse, or sibling) to any County Supervisor or other officer, employee, or appointee; (vi) education; (vii) offices or memberships in civic, not-for-profit, and similar organizations; (viii) activities and interests; (ix) reasons for seeking to serve on the board, commission, or committee; and (x) how the applicant learned about the vacancy.
5. **Application Period.** All interested applicants will have a minimum of 30 days from the date of the first notice to complete and return to the Clerk a detailed application, with the understanding that the application may be released to the public, if requested. No applications will be accepted if they are received or, if the application is mailed through the United States Postal Service, postmarked after the advertised application deadline, however, the Board, at its discretion, may extend the deadline.
6. **Distribution of Applications.** After the application deadline has passed, the Clerk will distribute all applications received to the Supervisors before the Board meeting at which the applications will be considered. For magisterial appointments, the Clerk will forward applications as they are received to the Supervisor of that district who will then recommend his or her appointment.
7. **Interviews; Appointments Without Interviews.** From the pool of qualified candidates, the Board, in its discretion, may make an appointment without conducting an interview, or may select applicants to interview for the vacant positions. The Clerk will then schedule interviews with applicants to be held on the day of a regular or special Board meeting.
8. **Appointments Within 90 Days.** The Board will make all reasonable efforts to interview selected applicants and make appointments within 90 days after the application deadline. For Board-designated agency appointments to boards, commissions, and committees, the Clerk shall ask the agency to recommend a person for appointment by the Board.

9. **Vacancies Filled as They Occur; Exception.** All vacancies will be filled as they occur, except that vacancies occurring on a Community Advisory Council will be filled on an annual basis at the time regular terms expire unless there are more than three vacancies on that Council at the same time and more than three months remaining from the annual appointment date.
10. **Appointees Required to File Real Estate Disclosure Form.** As a condition of assuming office, all citizen members of boards, commissions, and committees shall file a real estate disclosure form as set forth in the State and Local Government Conflict of Interests Act (Virginia Code § 2.2-3100 *et seq.*) and thereafter shall file the form annually on or before February 1.
11. **Termination of Appointment for Excessive Absences.** If a member of a board, commission, or committee does not attend and participate in at least 75 percent of that body's meetings, the Chair of the body may request the Board to terminate the appointment, if permitted by applicable law, and refill it during the next scheduled advertising period. If permitted by applicable law, the Board may establish different attendance requirements and procedures to terminate an appointment for excessive absences for a particular board, commission, or committee.
12. **Appointees to Advisory Bodies Serve at the Pleasure of the Board.** Any person appointed by the Board to an advisory board, commission, or committee serves solely at the pleasure of the Board.

4. **Supervisors Serving Without Remuneration on the Board of Trustees of Not-for-Profit Entities**

- A. **State Law.** The State and Local Government Conflict of Interests Act (the "Act") recognizes that a system of representative government depends in part upon: (i) Supervisors representing fully the public in the legislative process; and (ii) the County's citizens maintaining the highest trust in the Board of Supervisors. The Act establishes rules designed to assure that the judgment of any Supervisor is free of inappropriate conflicts of interest. Under the Act, a Supervisor who serves without remuneration as a member of the board of trustees of a not-for-profit entity, where neither the Supervisor's nor his or her immediate family has a personal interest in the not-for-profit entity, is not required to disclose or disqualify themselves from participating in any transaction related to the not-for-profit entity.
- B. **Board Policy.** A Supervisor who serves without remuneration as a member of the board of trustees of a not-for-profit entity must disclose that fact at each meeting of the Board of Supervisors at which a matter pertaining to the not-for-profit entity is considered or acted upon. The disclosure must be made at the beginning of the Board meeting at which the matter will be considered or acted upon.

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Item No. 8.4. Authorization to Schedule a Public Hearing for Ordinance to Amend County Code Chapter 7, Health and Safety.

The Executive Summary forwarded to the Board states that the Board has directed the County Attorney's Office to conduct a comprehensive review and recodification of the County Code. Chapter 7 of the County Code regulates noise, smoking, radioactive materials, nuisances, and other issues that impact the health and safety of the County's residents and visitors. The most recent amendment to Chapter 7 was the addition of Article VI regarding short-term rental registry.

The process of recodifying the County Code includes making formatting, style, organizational, and substantive changes. These changes are being addressed at the chapter level before the Board considers adopting a complete, recodified County Code.

The attached proposed ordinance includes the proposed revisions to Article II, Naming of Roads and Numbering of Properties, that the Board reviewed on January 15, 2019 and authorized for public hearing.

Where possible, without changing the underlying substance, staff has included stylistic revisions, eliminating archaic or redundant language, to make the chapter easier to read.

There is no expected budget impact.

Staff recommends that the Board schedule a public hearing to consider adoption of the attached proposed ordinance (Attachment A) at a future Board meeting.

**By the above-recorded vote, the Board authorized the Clerk to schedule a public hearing to consider adoption of a proposed Ordinance to Amend County Code Chapter 7, Health and Safety at a future Board meeting.**

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Item No. 8.5. Motor Vehicle Safety Inspections.



The Executive Summary forwarded to the Board states that the Virginia Motor Vehicle Safety Inspection Program was started in 1932 to help reduce highway crashes and deaths. According to the Virginia State Police, the program is the oldest continuous motor vehicle inspection program in the United States and has been used as a model program for countries worldwide.

Virginia currently requires all vehicles registered in the Commonwealth to undergo a safety inspection annually to ensure that each vehicle meets safety standards for the highway. During each safety inspection, certified technicians confirm operating standards for twenty-one vehicles systems or elements, including brakes, tires, and safety equipment such as headlights and turn signals. The regulation applies to all vehicles, from personal vehicles to commercial buses and tractor-trailers.

The Virginia Safety Inspection Program is managed by the Virginia State Police with 5,433 inspection stations throughout the state which employ 15,566 certified inspectors.

In December 2019, Governor Ralph Northam announced a proposal to eliminate the Annual Vehicle Safety Inspections Program. According to the Virginia State Police, over eight million (8,209,716) vehicles were inspected in 2018 with over 20% (1,634,740) of those vehicles failing the safety inspection due to a critical safety defect. When considering that the average vehicle on the highway today is 11.8 years old, the importance of a safety inspection becomes even more important. Statistics from the Virginia State Police show that vehicles manufactured in 2009- 11 years ago- or earlier, fail their safety inspection 29% of the time.

According to a 2018 U.S. Department of Transportation study, both Virginia and Pennsylvania have a robust annual safety inspection program and are well below the national average of traffic deaths per 100,000 in population, at 9.6 and 9.3 fatalities respectively. This is well below the national average which is 11.17 per 100,000 population. To compare, South Carolina and Mississippi eliminated their safety inspection programs in 1995 and 2015 respectively. In the eleven years after South Carolina eliminated their safety inspection program, the state has experienced a 29.04% increase in traffic fatalities and Mississippi experienced an increase in traffic fatalities with 22.62 deaths per 100,000 in population since eliminating their state safety inspection program.

Statistics show that annual safety inspections help save lives on our highways. Motorist can take comfort in knowing that their vehicles and the over eight million other traveling vehicles alongside them have received a thorough inspection of all safety related components annually by a certified state inspector.

Staff recommends that the Board adopt the attached Resolution (Attachment A) to oppose legislation to eliminate Virginia's Motor Vehicle Safety Inspection Program.

**By the above-recorded vote, the Board adopted the attached Resolution (Attachment A) to oppose legislation to eliminate Virginia's Motor Vehicle Safety Inspection Program:**

**RESOLUTION OPPOSING LEGISLATION TO ELIMINATE THE  
MOTOR VEHICLE SAFETY INSPECTION PROGRAM**

**WHEREAS**, several sections within Title 46.2 of the Virginia Code require that a motor vehicle's equipment and devices be in proper working order; and

**WHEREAS**, it is unlawful to operate a motor vehicle with defective equipment or devices; and

**WHEREAS**, the Virginia Motor Vehicle Safety Inspection Program (Virginia Code § 46.2-1157 *et seq.*) (the "Safety Inspection Program") was established in 1932 to help reduce highway crashes and related deaths in the Commonwealth; and

**WHEREAS**, the Safety Inspection Program currently requires all motor vehicles registered in the Commonwealth to undergo an annual safety inspection to ensure that the equipment and devices on every motor vehicle meet established safety standards for the highway; and

**WHEREAS**, Virginia State Police reports that 8,209,716 motor vehicles were inspected in 2018 and over 20 percent (1,634,740) of those vehicles failed their safety inspection due to critical safety defects which then had to be promptly repaired in order for the vehicle to be lawfully driven on the highways; and

**WHEREAS**, the Safety Inspection Program has significantly contributed to motor vehicle safety, as evidenced by a 2018 United States Department of Transportation study which found that Virginia had 9.6 traffic deaths per 100,000 population, which was well below the national average; and

**WHEREAS**, by comparison, the number of traffic deaths in South Carolina rose 29.4% in the 11 years after it repealed its motor vehicle safety inspection program, and the number of traffic deaths in Mississippi, which repealed its motor vehicle safety inspection program in 2015, is 22.62 traffic deaths per 100,000 population; and

**WHEREAS**, Senate Bill 125 would repeal the Safety Inspection Program; and

**WHEREAS**, on January 27, 2020, House Bill 130, which also would have repealed the Safety Inspection Program, was recommended to be laid on the table by the House Motor Vehicles Subcommittee.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the Board of Supervisors of the County of Albemarle, Virginia (the "Board") that the Board opposes the repeal of the Virginia Motor Vehicle Safety Inspection Program (Virginia Code § 46.2-1157 *et seq.*) and all other amendments in Senate Bill 125 related to that repeal; and

**BE IT FURTHER RESOLVED** that the Clerk of the Board of Supervisors is directed to provide by email a copy of this Resolution on this date to the members of Senate Committee on Transportation and to the Director of Legislative Services for the Thomas Jefferson Planning District Commission, and that it thereafter be distributed as necessary and appropriate to members of the General Assembly.

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Item No. 8.6. Berkmar Apartments - Mixed-Income Property Resolution.

The Executive Summary forwarded to the Board states that Berkmar Apartments is a proposed 261-unit apartment community to be built on a 17.7-acre site on Berkmar Drive in the Hollymead area (TMP 03200-00-00-05400). The proposal is a by-right development, and the site plan (SDP201900001) has been submitted to the Community Development Department for review and approval. The development is not located in a revitalization area as defined by Virginia Code Section 36-55.30:2(A).

Berkmar Apartments, LLC is applying for the Virginia Housing Development Authority's (VHDA) mixed-income financing through the Workforce 20/80 program. This program requires that 20 percent of the residential units in the development be reserved for households earning not more than 80 percent of area median income (currently \$89,400 for a household in Albemarle County).

To obtain this financing, Virginia Code Section 36-55.30:2(B) requires that the governing body adopt a resolution indicating that the Board of Supervisors has determined that including market-rate units in the development would enhance the LLC's ability to provide affordable units and that 'private enterprise and investment are not reasonably expected, without assistance, to produce...decent, safe and sanitary housing and supporting facilities that will meet the needs of low and moderate income persons and families in the area of the project'. Attachment A is a letter from Mr. Geoffrey McVeigh, representing the LLC, supporting these two determinations.

As a by-right development, the Berkmar Apartments are not subject to the County's Affordable Housing Policy, which has a goal of at least 15 percent of affordable housing units be included in new residential developments receiving approvals for site rezonings or special use permits. Additionally, the 20 percent requirement for the mixed-income financing program exceeds expectations set forth in the County's policy.

There is no direct budgetary impact related to this action.

Staff recommends the Board adopt the attached resolution (Attachment B) making the determinations requested by the Berkmar Apartments, LLC for the proposed Berkmar Apartments project.

**By the above-recorded vote, the Board adopted the attached Resolution (Attachment B) making the determinations requested by the Berkmar Apartments, LLC for the proposed Berkmar Apartments project:**

#### **RESOLUTION**

**WHEREAS**, pursuant to Section 36-55.30:2.A of the Code of Virginia of 1950, as amended, the Board of Supervisors of the County of Albemarle, Virginia, desire to designate the area (the "Area") described in Exhibit A attached hereto as a revitalization area;

**NOW, THEREFORE, BE IT HEREBY DETERMINED** as follows:

- (1) the industrial, commercial or other economic development of the Area will benefit the County but the Area lacks the housing needed to induce manufacturing, industrial, commercial, governmental, educational, entertainment, community development, healthcare or nonprofit enterprises or undertakings to locate or remain in the Area; and
- (2) private enterprise and investment are not reasonably expected, without assistance, to produce the construction or rehabilitation of decent, safe and sanitary housing and supporting facilities that will meet the needs of low and moderate income persons and families in the Area and will induce other persons and families to live within the Area and thereby create a desirable economic mix of residents in the Area.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that pursuant to Section 36-55.30:2.A of the Code of Virginia of 1950, as amended, the Area is hereby designated as a revitalization area.

**NOW, THEREFORE, BE IT FURTHER DETERMINED** that the following non-housing building or buildings (or non-housing portion or portions of the building or buildings) located or to be located in the Area are necessary or appropriate for the industrial, commercial or other economic development of the

Area:

**Community Clubhouse: the clubhouse will be its own building with an adjoining resort-style saltwater outdoor swimming pool. The clubhouse will contain a resident lounge, luxury kitchen, game and conference rooms, business center, fitness center and management/leasing office. In addition to the swimming pool, proposed outdoor amenities include decking, a fire pit area, outdoor kitchen and restrooms/locker rooms.**

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Item No. 8.7. Special Exception - Stonefield Block D-1 - Additional Stories.

The Executive Summary forwarded to the Board states that the subject properties for the "Stonefield" development are zoned NMD (Neighborhood Model District), per approved ZMA200100007 and per updated application plan ZMA201300009. Special exceptions to vary from the provisions contained in the approved Code of Development for properties in the NMD district may be granted by the Board of Supervisors, pursuant to County Code §18-8.5.5.3 and §18-33.49.

The applicant (Alan Wong, Mitchell Matthew Architects) and owner (OCT Stonefield Property Owner LLC) have requested a special exception to vary the approved Code of Development for ZMA200100007 Stonefield (formerly Albemarle Place) to modify (increase) the maximum number of stories in Block D1 from five (5) stories to eight (8) stories pursuant to County Code §18-8.5.5.3(a)(1).

Please see Attachment B for staff's full analysis.

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

**By the above-recorded vote, the Board adopted the attached Resolution (Attachment C) to approve the special exception request:**

**RESOLUTION TO APPROVE SPECIAL EXCEPTION TO VARY THE CODE OF DEVELOPMENT FOR  
ZMA2001-00007 STONEFIELD (FORMERLY ALBEMARLE PLACE)**

**BE IT RESOLVED** that, upon consideration of the Memorandum prepared in conjunction with the special exception request and the attachments thereto, including staff's supporting analysis, and all of the factors relevant to the special exception in Albemarle County Code §§ 18-8.5.5.3, 18-33.5 and 18-33.49, the Albemarle County Board of Supervisors hereby approves the special exception to vary the Code of Development approved in conjunction with ZMA2001-00007 Stonefield (formerly Albemarle Place), subject to the conditions attached hereto.

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Item No. 8.8. B201902953ATWR 203 Patterson Mill Lane Special Exception.

The Executive Summary forwarded to the Board states that a special exception has been submitted by GDN Sites on behalf of Verizon, associated with a building permit application to add an antenna array. (See Attachment B-Location Map and Attachment C-Plans).

County Code § 18-5.1.40.a(12) allows special exceptions to waive or modify the requirements of County Code § 18-5.1.40 for personal wireless service facilities. This request is to modify County Code § 18-5.1.40(b)(2)(c) which requires that antennas be mounted so that in no case shall the closest point of the back of the antenna be more than 12 inches from the facility, and in no case shall the farthest point of the back of the antenna be more than 18 inches from the facility.

Staff analysis of the requests is provided as Attachment A.

Staff recommends that the Board adopt the attached Resolution (Attachment D) approving the special exception with the following condition:

1. No antenna authorized by this special exception shall project more than eighteen inches (18') from the face of the monopole to the back of the antenna.

**By the above-recorded vote, the Board adopted the attached Resolution (Attachment D) approving the special exception with the following condition:**

**1. No antenna authorized by this special exception shall project more than eighteen inches (18') from the face of the monopole to the back of the antenna.**

**RESOLUTION TO APPROVE SPECIAL EXCEPTION  
FOR B2019-02953A TWR**

**BE IT RESOLVED** that, upon consideration of the Memorandum prepared in conjunction with the special exception request and the attachments thereto, including staff's supporting analysis, and all of the factors relevant to the special exception in Albemarle County Code §§ 18-5.1.40 and 18-33.49, the Albemarle County Board of Supervisors hereby approves the special exception to modify the requirements of County Code § 18-5.1.40(b)(2)(c) for B2019-02953A TWR, subject to the condition attached hereto.

Item No. 8.9. Resolution Endorsing the “We Are Still In” Letter to the Virginia General Assembly Supporting Climate Action.

The Executive Summary forwarded to the Board states that on September 6, 2017 the Board of Supervisors passed a Resolution to Reaffirm Commitment to Support Local Actions to Reduce Climate Pollution. The Resolution further commits Albemarle County to develop a community-wide Climate Action Plan and this effort is underway. On September 5, 2018 the Board of Supervisors authorized the Board Chair to sign the “We Are Still In” Declaration to support climate action to meet the 2015 Paris Agreement. On October 16, 2019 the Board passed a Resolution to Establish Community-Wide Greenhouse Gas (GHG) Emissions Reduction Target.

The Virginia General Assembly is currently considering a number of Legislative actions, such as the Regional Greenhouse Gas Initiative (RGGI), establishment of clean energy standards, greater customer access to clean energy, and policies and programs that reduce transportation-related emissions. The “We Are Still In” organization is urging Virginia members to sign a letter to their General Assembly representatives supporting these climate actions (Attachment A). The legislative changes will accelerate Virginia’s transition to a low-carbon, clean energy economy.

Signing the letter does not have direct budget impacts.

Staff recommends the Board approve Resolution Endorsing the “We Are Still In” Letter to the Virginia General Assembly (Attachment B). The Resolution authorizes the Board Chair to sign the letter and send to General Assembly representatives listed in the Resolution.

**By the above-recorded vote, the Board approved the Resolution Endorsing the “We Are Still In” Letter to the Virginia General Assembly (Attachment B). The Resolution authorizes the Board Chair to sign the letter and send to General Assembly representatives listed in the Resolution:**

**RESOLUTION ENDORSING THE “WE ARE STILL IN”  
LETTER TO THE VIRGINIA GENERAL ASSEMBLY**

**WHEREAS**, the County of Albemarle on September 5, 2018, authorized the Board Chair to sign the “We Are Still In” Declaration and join a coalition of localities, states, tribes, businesses, universities, healthcare organizations and faith groups committed to reducing greenhouse gas emissions; and

**WHEREAS**, the County of Albemarle on October 16, 2019, established a Community-wide Greenhouse Gas (GHG) Emissions Reduction Target in line with the Intergovernmental Panel on Climate Change (IPCC), adopting GHG emissions reduction targets of 45% by 2030 and net zero by 2050 using the County’s 2008 GHG inventory as a baseline; and

**WHEREAS**, the County of Albemarle is currently working on developing a Climate Action Plan as part of the Board of Supervisor’s Prioritized FY2020-2022 Strategic Plan; and

**WHEREAS**, the Virginia General Assembly is currently considering a number of pieces of legislation that address Regional Greenhouse Gas Initiative (RGGI), clean energy standards, greater customer access to clean energy, and polies and programs that reduce transportation-related emissions; and

**WHEREAS**, “We Are Still In” is encouraging members in Virginia to sign the attached letter to be sent to the Virginia General Assembly endorsing the Regional Greenhouse Gas Initiative (RGGI), clean energy standards, greater customer access to clean energy, and policies and programs that reduce transportation-related emissions.

**NOW, THEREFORE, BE IT RESOLVED**, the County of Albemarle authorizes the Board Chair to sign the “We Are Still In” letter attached to this Resolution on behalf of the Board of Supervisors and for the Clerk to send copies of the letter to Delegates Chris Runion, Sally L. Hudson, Robert B. Bell and C. Matthew Fariss as well as copies to Senators R. Creigh Deeds and Bryce E. Reeves.

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Item No. 8.10. County Grant Application/Award Report, **was received for information.**

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

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

The budget impact is noted in the summary of each grant application and/or award.

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

\* \* \* \* \*

GRANT REPORT ACTIVITY – December 14, 2019 through January 15, 2020

No applications were made during this time.

Awards received during this time.

Granting Entity	Grant Project	Type	Amount Awarded	Match Required	Match Source	Department	Purpose
Virginia Department of Criminal Justice Services	Community Corrections and Pretrial Services	State	\$1,959.00 increase in Total Grant Award *  (Total State Grant Award: \$998,610.00)	NA	NA	Offender Aid and Restoration (OAR)	The additional state funds provide for staff development and/or the advancement of evidence based practices.

\* 2<sup>nd</sup> Revision of State Grant Award

Comprehensive Look at Potential Five Year Financial Plan Grant Impacts:

The following chart includes grants that are expected to end within the next five years and an estimate of the County’s potential costs over the next five years if the grant-supported position, project or program is continued after the grant ends. The continuation of those positions, projects and programs will be considered as part of the County’s annual budget process.

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

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

Item No. 8.11. 2019 Board of Zoning Appeals Annual Report, **was received for information.**

Item No. 8.12. Board to Board, January 2019, A monthly report from the Albemarle County School Board to the Albemarle County Board of Supervisors, **was received for information.**

Agenda Item No. 9. Special Exception HS201900015 Squirrel Path Homestay.

The Executive Summary forwarded to the Board states that The applicant requests one special exception pursuant to County Code § 18-5.1.48(i)(1)(il) for a proposed homestay to modify the minimum 125 foot front, side, and rear yard required for a homestay in the Rural Areas zoning district pursuant to County Code § 18-5.1.48(j)(1)(v):

Minimum yards. 1) In the Residential or Planned Development districts, the minimum applicable front, side, and rear yard requirements for primary structures apply to all structures used for homestays; 2) In the Rural Areas district, the minimum front, side, and rear yard shall be 125 feet from any abutting lot not under the same ownership as the homestay, for parking and for structures used in whole or in part to serve a homestay.

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

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

Ms. Rebecca Ragsdale, Principal Planner with the Zoning Division, said this is a Special Exception request in association with a homestay. She said she would give an overview of the applicable regulations, then talk about the specifics of the request.

Ms. Ragsdale said the parcel is zoned Rural Area and that there are specific regulations that apply to parcels that are less than 5 acres in size. She said this includes that there be rental of no more than two guest rooms, and rental of less than 30 days at a time; no use of an accessory structure; no more than one homestay use on the property; no whole-house rental, which is rental when the owner or manager is not present; and a 125-foot required yard from all property lines.

Ms. Ragsdale said all homestays must comply with applying for a zoning clearance, annual safety inspections, and must be owner occupied. She said they must also provide neighbors with a contact for the owner, in case of emergency. She said parking must be on-site, with no on-street parking allowed with these uses.

Ms. Ragsdale said there are four of those criteria that may be waived or modified through the Special Exception process, and that only the Board can approve this type of request. She said the criteria that can be modified are: the number of guest rooms; use of an accessory structure on a parcel less than 5 acres that are zoned Residential, or an accessory structure that did not exist on the date of adoption of the updated ordinance in August; setback reduction; and owner occupancy requirement to be waived.

Ms. Ragsdale said the factors to be considered in the homestay regulations are that there is no detriment to abutting property owners and that there is no harm to public health, safety, or welfare. She said the section of the ordinance that covers all Special Exceptions was presented on the screen, indicating that the Board was not required to make specific findings. She said the Board may approve, approve with conditions, or deny Special Exceptions, and may impose reasonable conditions to address any impacts with a Special Exception.

Ms. Ragsdale said the ordinance also requires that abutting owners are notified of the Special Exceptions.

Ms. Ragsdale said in this case, the request is to waive the minimum required yard of 125 feet, which is from one of the front property lines, and then the side property lines. She said it is a corner lot in the Squirrel Ridge subdivision, which consists of about 25 lots and is located off of Earlysville Road near Rio Road West. She said the lot itself is a corner lot, and the Special Exceptions are required from the front with Squirrel Path, the rear, and then to the left side of the lot.

Ms. Ragsdale said the neighbor notification was sent in December, and staff has not received any objections from the affected property owners. She said they received two inquiries the week before from one of the neighbors, as well as from someone affiliated with the Homeowners Association.

Ms. Ragsdale said given that the applicant is complying with all the other regulations in the ordinance, the unique way that the house is situated on the lot, and that there were no neighbor objections, staff recommends approval of the setback reduction.

Ms. McKeel asked about the inquiries.

Ms. Ragsdale replied that one of the neighbors was calling to understand what the homestay regulations were, and the nature and extent of the proposal. She said the HOA representative was also asking about the homestay regulations in general and what the County allows. She said neither one of them said they had a problem with this particular homestay, and that it has been in operation since 2016 (although they didn't know it was there). She said the HOA did express some concern about how many of the homestays were potentially in the neighborhood, but that there were no objections to this one.

Ms. Mallek asked if the HOA representative made any statement about how they have rules against commercial operations in their community.

Ms. Ragsdale replied that they mentioned they would be looking at the covenants at their upcoming meeting.

Ms. Mallek said she knew this was not a matter of the Board, but that it was always awkward for the Board to approve something which is then contradicted by the HOA.

Mr. Gallaway said he wouldn't disagree with this statement, and that the Board has been clear from the beginning that HOAs can be more rigorous than the Board. He said whatever the Board approves, if it is taken down by the HOA, he doesn't think this is awkward because it's within their right to do it.

Ms. Mallek said it requires them to sue, which is a burden.

Mr. Gallaway said they simply change their covenants and do a vote to be stricter.

Ms. Mallek said if there is a disagreement, they have to go to court, which puts the burden on the HOA to spend money. She said there was nothing the Board can do about it, and that she simply wanted to ask about it.

Ms. McKeel said it does raise an interesting question.

Ms. Mallek said for enforcement, they have to go to court.

Ms. McKeel asked Mr. Kamptner if he had any thoughts.

Mr. Kamptner said covenants exist independent of the zoning regulations, and that the zoning decisions should be based on the criteria that are in the zoning regulations and not on whether or not there are restrictive covenants that apply to the property.

Ms. Mallek asked for the math on the setback waivers being sought. She asked if it the requirement was 125 feet on all four sides.

Ms. Ragsdale replied that it is 125 feet to Pinecone Circle (the other street that adjoins the lot), and about 90 feet from the back of the house to the back property line (which is technically a side). She said to the left property line, it's about 25 feet for parking and 30 feet for the house.

Ms. Mallek asked for the requirements for those. She asked if the front one was the only one that was 125 feet, which would be to Squirrel Path.

Ms. Ragsdale said the front would be to Pinecone Circle.

Ms. Mallek said the driveway isn't there. She asked how they determined that is the front instead of where the driveway is.

Ms. Ragsdale said the front is determined by where the lot has road frontage, and not where the driveway is located. She said technically, the way the ordinance is written, this is a corner lot with two fronts and technically two side property lines. She said most layman would think of the other one as the rear. She said it's the one that's opposite of Squirrel Path where the property line is 90 feet away, and then to the left, the property next door on Squirrel Path is about 30 feet away. She said it meets all the primary structure setbacks for a Rural Area parcel but doesn't meet the increased setbacks on those lot lines for homestays, which they established as 125 feet.

Ms. Mallek asked if it was 125 feet all the way around.

Ms. Ragsdale replied no, and that it was just the one side with Pinecone Circle.

Ms. Mallek asked what the other requirements were for the other sides.

Ms. Ragsdale replied that the 125 feet applies to all sides of the lot, according to the ordinance.

Ms. Mallek said this was a significant waiver, if they were required to have 125 and they have 22 feet. She said this was a big difference, and that this was being pushed on top of the people next door. She said this was a concern to her, and that the setback requirements were there to give privacy to people when there are commercial operations nearby.

Ms. LaPisto-Kirtley asked if staff had recommended approval.

Ms. Ragsdale replied yes.

Ms. LaPisto-Kirtley echoed Ms. Mallek's concern that the waiver was a significant departure from having 125 feet on all sides.

Ms. Ragsdale said staff was looking at the characteristics of the lot and the ordinance criteria to evaluate it in terms of impacts to public health, safety, or welfare, and if there was any detriment to abutting lots. She said they did not hear any comment that there was, or any objection, which is why staff recommended approval.

Ms. LaPisto-Kirtley said she worried this could set a precedent.

Mr. Bart Svoboda (Zoning Administrator) said this was their second homestay Special Exception and that staff is trying to get a feel for what the Board is willing to modify in these Special Exceptions to see if these can go to Consent Agenda in the future or not. He said staff is trying to see if the Board determines that if there are no neighbor objections, then it is okay, versus being more comfortable with having 120 feet everywhere as opposed to 125 feet. He said staff apologizes somewhat for the vagueness, but was also interested in the Board's discussion and drilling down into the primary objective, whether it is the 125 feet, or the neighbors' input about the character of the area they live in.

Ms. LaPisto-Kirtley said the neighbor today may not be the neighbor tomorrow.

Ms. McKeel agreed, adding that there have been several situations in some of the neighborhoods. She said she could speak personally about how someone knocked on doors and threatened people.

Ms. Palmer said what she had thought was that it was about more than just the neighbors objecting, or the 125 feet, but how the building is situated on the lot. She said looking at this example, there is an outbuilding or parking structure there that is shielding the house from the other house. She said some lots that might be 35 feet from the property line might be less obtrusive than others, and then there is the fact that there are two bedrooms versus more.

Ms. Palmer said she was looking at the whole picture, and that she would hate for staff to think that because there were no neighborhood objectors for the next several Special Exceptions, then that means every time there are no neighbor objections, the Board is fine with it. She said she would hate for this to be the interpretation because she was looking at the whole picture.

Ms. Palmer said she was not disturbed by the request after looking at the whole picture and reading the staff report, but that she very well may be if it was 35 feet from a property line, and the bedroom window is 20 feet on the other side with nothing in between.

Mr. Svoboda said as staff moved through the application, one thing they set aside was a few minutes for this discussion about how staff would analyze what they were doing as far as whether this would go on consent or be a regular item. He suggested they move through this particular application, get that accomplished, and then talk briefly about whether or not the Board needs to see more of these requests to get more of a variety.

Ms. McKeel said she was glad that these people were doing what they were supposed to do in going to the Board with the request, but agreed that if they supported one, it could set a precedent.

Ms. Ragsdale said staff is analyzing the requests on a case-by-case basis. She said they are Special Exceptions and that staff looks at the unique set of circumstances for each one when they review them.

Ms. Price commented that the applicant has been running their homestay for some period in excess of three years, since 2016. She said for this particular situation, there is a bit of a track record.

Ms. Price asked Mr. Kamptner what the enforcement mechanism is if the Board finds out later that individuals operating a homestay are disrupting the neighborhood through their business activities.

Mr. Kamptner said this would depend on the violations. He if they were violating the noise regulations, then they would have to come into compliance, and it would be enforced as a zoning violation. He said if they started renting out three bedrooms instead of two, they are in violation of conditions, and it would be enforced as a zoning violation but if there are repetitive violations, the Board does have the ability to revoke the Special Exception.

Ms. Mallek asked if this was the "three strikes" policy they talked about last year that was already in place, or if it was something they had to adopt.

Ms. Ragsdale replied that it was in place.

Ms. Palmer said this had a long history before 2016 of being a rental, which was her understanding from the materials.

Ms. Mallek and Ms. McKeel mentioned the past bypass threat to the neighborhood which resulted in many of the homes being owned by VDOT as full-time rentals and greatly harmed the neighborhood.

Mr. Gallaway disagreed with the precedent piece. He said it was more a precedent of how the Board is thinking about it, and not a precedent that all decisions will follow that piece, as the requests would come back to the Board individually. He said he would approach these requests pragmatically. He said this request was in his district, and that he would treat the requests in his district while he thought about this through the Airbnb piece, and who he represents can take care of that if they disagree with him. He said when he hears that the neighbors didn't know this was in existence, then it sounds as if they are doing a good job of running their Airbnb and not having impacts on their community.

Mr. Gallaway said since there is an HOA in place that could put stronger restrictions in place, if they don't like what is going on they can address it as a community. He said they can have their annual meetings, vote, and decide how their covenants and restrictions go.

Mr. Gallaway said if this works and no neighbors are complaining, the HOA still has a mechanism to use if they do not like the action the Board takes. He said he was in favor of supporting the application.

Ms. McKeel said this was a good point because Hessian Hills, Canterbury Hills, Oak Forest Circle have very loose neighborhood associations which cost \$0-15 a year. She said just because they hear that a community has an HOA doesn't mean that it has any legal teeth to it, or any covenants they can enforce.

Ms. McKeel said it may be that the Board may want to look at whether a neighborhood truly has a bona fide, legal HOA as opposed to a loosely-termed neighborhood association, as this offers a level of protection for people in the community. She said many of the older neighborhoods in Barracks, Georgetown, and Hydraulic do not have HOAs.

Ms. Mallek asked if the Board approves this to become a compliant operation, it may preclude the HOA from then changing its ordinance.

Mr. Gallaway said no.

Ms. Mallek said even though the homestay is already there, the HOA could still have the ability to say that they cannot run it because they could decide they don't want commercial activity.

Mr. Kamptner said it depends on how the rules are written. He said the HOA's covenants may already restrict the activity, or they could amend the rules. He said it depends on what the required vote is to make any changes to the rules. He said this would be a purely private matter amongst the homeowners within the subdivision.

Ms. McKeel said anything the Board did would not influence that. She said the Board could pass and agree to the request, then the HOA could go back and change their restrictions if they were able to



and wanted to.

Mr. Kamptner said the two exist independently of one another.

Ms. Mallek mentioned the other buildings on the property. She asked if this was something that would be looked at if the homestay was going to be happening in the building that's 22 feet from the property line. She asked if this would make a difference in staff's recommendation versus having it be some kind of buffer building.

Ms. Ragsdale replied that staff looks at things such as vegetation between the houses and buffering. She said in this case, one enters the guest rooms through the garage.

Ms. Mallek asked if this was the 22-foot section.

Ms. Ragsdale replied yes.

Ms. Mallek said the activity would be in the area closest to the neighbors. She said it also looked as if the neighbors had some kind of building there, but that this puts them responsible from protecting themselves from something. She said her concern is that the County staff look at the neighbors' property and deem that they have things that buffer, which would say that the owner on the other property wouldn't be responsible for those things on their property. She said it brings up the matter of the zero lot line, where whoever got there first gets the rights and everyone else loses out. She said this was a concern for her on a philosophical level.

Ms. McKeel asked if Zoning goes and visits the site.

Mr. Svoboda replied this was correct.

Ms. McKeel asked if there are staff that visit sites all the time, whether it's to look at stream or fill, outside of what Zoning's work is. She asked if the departments' information cross-pollinate. She said she had a recent discussion with a neighborhood group about how staff could come to a site and determine that someone has done something that wouldn't pass code. She asked if this is reported, or if that staff deems it's not their field.

Mr. Svoboda said generally, if an inspector sees something that isn't right, they will let the appropriate division know what is happening so they can check it out. He said Zoning and Engineering would be an example.

Ms. Mallek asked if the tourism zone (which was in place in another location) is considered to be an important element. She said this wasn't mentioned in the list of thought processes, but that it had come up in a previous discussion as a reason why they should think favorably about making the exceptions.

Ms. Ragsdale replied that staff is going to provide the Board the Comprehensive Plan language, as it's applicable to certain properties. She said in Crozet, there is the tourism zone and the specific recommendations about Downtown. She said for Rural Area properties, they just have the general language about supporting tourism and allowing opportunities for lodging that are not detrimental to resources or neighbors. She said this request was not in a tourism zone.

Mr. Svoboda said if this is a specific box that the Board wants checked about being in a tourism zone or not, they could make this clear.

Ms. Palmer thanked staff for thoughtfully going through the request. She said she had a lot of problems with making sure the Board gave itself the ability to deal with bad actors but didn't want to keep the good actors from using their property in a way that is beneficial to themselves and others.

Mr. Gallaway **moved** to adopt the attached Resolution (Attachment F) to approve the Special Exception, with the conditions contained therein. Ms. Price **seconded** the motion.

During further discussion, Ms. LaPisto-Kirtley asked if it could be stipulated that this would be non-precedent setting.

Mr. Kamptner said it would not be precedent setting in the sense that every application that comes in is evaluated on its own merits.

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

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

Mr. Svoboda said he had a follow-up discussion, and that although he was hoping to pull the next request off the agenda instead of having it as a regular item, he was getting the sense that they were not quite there yet to do that. He said staff would do some tweaking on their analysis to see if they could make it clearer.

Mr. Gallaway agreed that this was the right sense. He said they would also have to be mindful of

the districts. He said the first four or five requests could be stuck in one or two districts, and if that is the piece of it, the first couple in each district should probably be an item so that that Supervisor has more attentiveness to it. He said he didn't want them getting comfortable that they were all in one or two districts because it could be a different conversation when they start coming into other districts.

Ms. McKeel said she would add HOAs to the list.

Ms. Price added that particularly in a situation like this, where the property had been rented for a period of time that's now going to be converted over to a homestay, and there's been no indication of problems, that this tends to look more towards the favorability of the applicant.

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**RESOLUTION TO APPROVE SPECIAL EXCEPTION  
FOR HS2019-00015 312 SQUIRREL PATH**

**BE IT RESOLVED** that, upon consideration of the Memorandum prepared in conjunction with the application and the attachments thereto, including staff's supporting analysis, any written comments received, and all of the factors relevant to the special exception in Albemarle County Code §§ 18-5.1.48 and 18-33.49, the Albemarle County Board of Supervisors hereby approves the special exception to modify the minimum 125 foot front, side, and rear yards required for a homestay in the Rural Areas zoning district for HS2019-00015 312 Squirrel Path, subject to the conditions attached hereto.

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**HS 2019-00015 312 Squirrel Path Special Exception Condition**

1. No more than two (2) guest rooms may be rented for homestay use within the existing residence as depicted on the Parking and House Location Exhibit dated January 15, 2020.
2. Parking spaces for homestay guests are limited to the existing parking areas as depicted on the Parking and House Location Exhibit dated January 15, 2020.

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Agenda Item No. 10. Housing Albemarle - Update on the Housing Policy Project.

The Executive Summary forwarded to the Board states that, during the June 23, 2019 meeting, the Planning Commission passed a Resolution of Intent to update the County's Affordable Housing Policy.

Work to update the County's affordable housing policy began in October 2019. The community engagement phase wrapped up in December 2019, and staff has been working with a nine-member stakeholder committee to review community feedback and draft a series of policy recommendations and implementation strategies. Staff is presenting an update of the work completed to date, as well as outlining the next steps in the process.

There is no impact to the budget related to this item.

Staff recommends Board members receive the project update.

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Dr. Stacey Pethia, Principal Planner for Housing, presented. She said they began updating the County's housing policy last fall and were about halfway through the process. She said she would give an update on what has happened so far.

Dr. Pethia said she would give some background on some of the policy work itself. She said the current affordable housing policy was adopted in 2004 as an appendix to the Comprehensive Plan. She said it went through some minor updates when the Comprehensive Plan was updated in 2015.

Dr. Pethia said in July of 2019, the Planning Commission passed a Resolution of Intent to amend the Comprehensive Plan with an updated housing policy. She said this decision was following the release of the Regional Housing Needs Assessment by the Thomas Jefferson Planning District Commission, which showed that in the County, approximately 10,700 households are paying more than the recommended 30% of their income for housing. She said this was an opportunity to bring in the tools and resources necessary to help meet that need today, and in the future.

Dr. Pethia said the process staff is following is three steps. She said the first is community engagement, to talk to community members in Albemarle County and understand their struggles with housing, how it impacts their personal lives and communities. She said once that was all completed, they collect this information and work with the Stakeholder Committee to develop policy recommendations based on the feedback received from community members, as well as the creation of an implementation strategy for that policy.

Dr. Pethia said the community engagement piece started in October with three community meetings and ran through December. She said they also provided opportunities for community feedback online for anyone unable to attend the community meetings. She said she worked with local nonprofits to schedule a series of focus group discussions, which focused more specifically on certain sectors of the community, such as senior citizens.

Dr. Pethia said she also attended a number of related events, such as the Rio-29 Form Based Code discussions, the Office of Equity and Inclusion roadshows, and the Rivanna Roll Call to speak with local veterans. She said she worked with the Thomas Jefferson Planning District Commission on their efforts to do a regional housing survey to help inform their regional strategy development.

Dr. Pethia said the discussion topics that were covered throughout not just the three community meetings in October, but also in the focus groups themselves, were focused around five broad categories. She said first was housing in the community, which not only focused on affordable housing, but housing in general. She said this included what community members like about housing in the area, what they are missing, and what they are doing well.

Dr. Pethia said they then focused the conversation more specifically on affordable housing to get an understanding of how families and individuals may be struggling today with housing costs, and what types of housing is missing. She said a lot came out, such as senior housing being missing, or certain bedroom sizes needed.

Dr. Pethia said they moved on to help come up with a vision for housing in the area, which involved discussions around what residents want to see their communities look like now, and into the future.

Dr. Pethia said there were discussions about barriers to affordable housing, which included individual access to housing they could afford, as well as any resources, policies, or programs that are missing in the County and may have problems implementing due to, for instance, State regulations.

Dr. Pethia said from there, they went on to talk about any potential policy and programmatic tools that residents felt the County could access and implement to help address housing needs.

Dr. Pethia said they heard a lot about many different things related to housing, but that there were some major categories that came out, and general themes that emerged. She said one of the big ones is that people that she spoke with felt that housing has become too expensive for many residents within the County, which included very low-income residents themselves, as well as people who work there. She said they focused on some of the new single-family homes that are being built and sold for \$600,000 and wondered who, already living in the County, could actually afford to purchase those.

Dr. Pethia said there was a lot of talk about the lack of accessible housing for senior citizens and persons with disabilities. She said there was a lot of discussion about the need to protect older and existing neighborhoods, whether that was from gentrification or from deterioration in general.

Dr. Pethia said the lack of affordable housing was seen to have wide-ranging impacts on the County. She said that it cuts back on diversity in the community (something people seem to value). She said people felt that it was potentially impacting local employers' abilities to attract and retain workers. She said residents they spoke with really wanted to see a variety of housing types and tenures within the communities. She said this was something that was addressed, for those able to attend the 8th grade student presentations. She said the housing types and diversity of those was something they highlighted.

Dr. Pethia said there was a lot of interest in addressing community and environmental sustainability issues.

Dr. Pethia said thinking about the barriers the County has to addressing all the concerns, they focus on four main barriers. She said those were supply-side, which relates to the fact that the County lacks construction workers in the area, which drives up the cost of construction. She said regarding resource barriers, there is an ever-decreasing amount of funding from state and federal governments for housing programs.

Dr. Pethia said in terms of policy and program-related issues, the discussion focused on the Dylan Rule and the fact that they live in Virginia, and that State legislature restricts what localities can do to address housing. She said they do not have the flexibility to try new things.

Dr. Pethia said in terms of community-based barriers, NIMBYism was discussed a lot, as well as the fact that many people in the communities are not necessarily aware of the housing problems that people are experiencing, and don't have a lot of knowledge of how to fix it.

Dr. Pethia said once all the community engagement and outreach was completed, she worked with a nine-member stakeholder committee that is fairly diverse in its membership. She said the senior community is represented, as well as residential developers, local employers, someone from the Regional Housing Partnership to help create a regional focus, homeowners, and the homeless community. She said they have been working together to review all the information that was collected through the community outreach events, as well as the surveys that were done. She said they have been looking at other housing policies adopted by other Virginia localities, as well as cities and counties across the country.

Dr. Pethia said the committee has been working to put together policies that specifically address what was heard through the community outreach efforts, and related strategies to go along with those.

Dr. Pethia said they are in the process of finalizing that draft. She said they are in the Policy and

Strategy Development Phase, which puts the project at about the halfway mark. She said they are finalizing the two documents, which she hopes to present to the Board through a work session with the Planning Commission in April 2020.

Dr. Pethia said from there, once they have the work session, she would collect the Board's feedback that will be incorporated into the policy documents. She said this would be prepared for public comment through May and June of 2020, with finalizing those recommendations to be presented to both the Planning Commission and the Board for final approval and adoption in August and September. She noted the project was, so far, on schedule.

Ms. Mallek asked Dr. Pethia if she was able to have any conversation with low-income homeowners.

Dr. Pethia replied yes. She said this was particularly effective when she went to Esmont and met with the seniors there. She said many of them were homeowners and had a lot to say about what it was like to be a senior citizen with a lower fixed income, as well as a homeowner.

Ms. Mallek said she thinks Dr. Pethia would find that in every neighborhood in every district she went to visit, she would hear stories about homeowners who built their houses for \$30,000 in the 1940s and are now paying \$5,000 a year in taxes on it and cannot afford it. She said this is a major problem for her as far as, across the County, how not to drive those homeowners away. She said when someone is 90 years old, this is not the time for them to be told to go live in Stuarts Draft because the County needs more money from them.

Dr. Pethia agreed.

Ms. Mallek said this was a real dilemma.

Ms. McKeel said this is a dilemma everywhere, and not just to their locality.

Dr. Pethia agreed.

Ms. Palmer said she recently read that one of the big problems is finding people to fix small things when one is older.

Dr. Pethia said this was correct.

Ms. Palmer said as she gets older and isn't as good at fixing things as she used to be, she notices the same thing. She asked who represents the seniors in the group.

Dr. Pethia replied that there is Ms. Dersheimer, who is an IMPACT member and a senior homeowner.

Ms. Palmer asked if it was someone who is representing themselves rather than a group.

Dr. Pethia said this was correct, but that she has spoken extensively with JABA representatives and visited many of their communities as well.

Ms. McKeel said she read a comment in the report about converting the mall into housing. She said she recently sent around an article about a mall that was converted into affordable housing, noting it was impressive.

Ms. McKeel said a common theme was transportation, and that the County was trying desperately to work on that.

Ms. McKeel said she had a couple of red flags she would mention. She said she read that if one's Social Security check is too high, they cannot qualify for Medicare. She said this was not true.

Dr. Pethia replied that this was the information she was given from the community member.

Ms. McKeel said she knew this, but that person should understand that she could qualify. She said this alarmed her.

Ms. McKeel said another thing that worried her about a comment about The Crossings. She said there were very concerning remarks from someone who lived there. She said Albemarle County has a stake in The Crossings, and that she worries when she sees remarks about the police going there, and noisy neighbors who drink too much. She said she had never seen a report or information about The Crossings.

Ms. Mallek said there had not been one for 10 years.

Ms. McKeel said this made her wonder if they should get an update about it, as it worried her.

Mr. Jeff Richardson (County Executive) asked if it was the request of the Board to get information from the Police Department on calls for service.

Ms. McKeel said she would like to know how it's managed. She said she didn't know how many people are there from Albemarle and from the City. She said she didn't know how many people were there. She said when she sees that when someone who lives there has concerns, it raises a red flag for her. She said she didn't want staff to have to go back and do a 40-page report, however.

Ms. Mallek said managers could easily supply the information.

Ms. McKeel agreed. She said she would like some basic data.

Mr. Gallaway said he would imagine it is information they have that has been reported out in other ways.

Ms. Mallek said she had confusion on the 10,700 number. She asked if this was something taken out of data surveys or from real, individual contact as the Orange Dot project is, where there are 485 families in the White Hall District that had conversations. She asked if there is validity family-wise on the numbers, or if they are statistical numbers. She said regardless, it was horrifying, and that she was not trying to diminish the number, but simply wanted to understand.

Dr. Pethia said these were based on Census and other data that was analyzed for the Regional Housing Needs Assessment. She said this is across all income levels, and that she did not specifically pull out the 80% Area Median Income and below households because there are many families between the 80% and 120% that are also struggling. She said she thought it was important to highlight those needs as well.

Ms. Mallek said the only other thing she would leave as a possible discussion for the future was that she has heard that a lot of the County's existing lots, which were designed to be used for affordable houses, have been purchased by builders at greatly-reduced prices, and then they just sit on them. She said perhaps they are somehow waiting for the requirement to go away so they won't have to build them after all, or that they are counting on the fact that the County will not be able to deliver a purchaser ready to go and therefore, with a quick turnaround, they'll be able to sell them as market rate. She said this means that the current plan has big flaws.

Ms. Mallek said she did not know that there was a large number of lots that people who build affordable houses would like to be able to get, but they are not available because they are so easy to hold onto, because of the reduced purchase price and therefore, reduced taxes. She said there may be nothing they can do about that, but that it was a surprise to her, so she was passing this along to see what Dr. Pethia could turn up.

Ms. McKeel said the older neighborhoods, deterioration, and gentrification were mentioned earlier, and that this goes back to what they are seeing in the older neighborhoods which are losing affordable housing to short-term rentals, which is one of the reasons why they talked about the short-term rental policy. She said she could name about six off the top of her head within a three-block radius. She said they are affordable houses they have lost because people purchase them for that reason.

Ms. Mallek said part of the discussion for the Crozet Master Plan is how Planning staff and Dr. Pethia can work on overlays that talk about size and scale of houses, and some way to be able to allow workers' houses that were built in the 1940s with lovely lots that are big enough for gardens, but the houses are 800 or 1,000 square feet in the most desirable location in town. She said it worries her that someone could come in and buy 50 of those, and it would all be over.

Ms. Mallek said she hoped there was a way that other communities have shown the way, or that Planning staff can figure out a way to work on those overlays so that they can be protected. She said Crozet has four neighborhoods with many of the units there where the fruit, Acme, and lumberyard workers used to live, and that she didn't want to lose them.

Ms. LaPisto-Kirtley asked if it was possible to say that if a developer buys an affordable lot, with a time stipulation, they must build within two years, or it reverts back to the County. She asked if someone purchases an affordable housing home, if there could be a stipulation that they must be the primary resident.

Ms. Mallek indicated there was great interference from the General Assembly in getting things to happen because they are happy to give big extensions whenever business doesn't want to do something.

Ms. McKeel said there was a project approved on Hydraulic back in the late 1980s or early 1990s and that they are just talking about building it now. She said this is because the General Assembly says it is okay to do that.

Mr. Kamptner said the latter suggestion was a possibility, to expressly require that the qualifying household be the primary occupant of the property. He said with respect to the other suggestion, they would need to look at this. He said when requiring a developer to build within a certain amount of time, there are economic conditions that could overrun everything. He said it would have to be something that has built-in flexibility.

Ms. McKeel said it seemed like the amount of time that is allowed borderlines on being ridiculous.

Ms. LaPisto-Kirtley said she thinks they should allow flexibility in case something happens

economically, but if the developer is just holding on hoping that regulations go away, this shouldn't be. She said perhaps they should say that if one buys it, they live there, and it is not to be rented. She said this is how they could get a break on purchasing a property.

Ms. Palmer said she had a question about trends. She said there was a recent article in the local paper about how the trend now is for smaller houses. She said looking around the County, anecdotally, a lot of houses are being bought and then expanded. She said she was astounded at some of the sizes, such as a 3,000-square-foot house becoming a 5,000-square-foot house. She asked if the trend in Albemarle County was for larger houses.

Dr. Pethia replied that everything she heard through the engagement process was for smaller homes, and that people desire smaller homes with smaller lot sizes and not giant mansions. She said she also heard the desire for more diverse types of homes such as townhomes, cottages, and neighborhood clusters.

Ms. Palmer acknowledged that the people Dr. Pethia were talking to were part of a selected group.

Ms. Mallek said there were more neighborhoods with large houses planned in Old Trail until the recession, and the jumbo loan difficulty put a stop to that, so all of those were downscaled. She said the hottest ticket for the last three years has been 1,000-square-foot cottages on very small lots. She said with everything to the north of Henley, dozens are being put in and that they are sold before they are built, because it is exactly that price point where people get a small house they can manage and clean quickly, with a little grass to play or park a bike and then be ready to do something else.

Ms. Mallek said another thing she was hearing in community discussions was that in places where there are larger, older homes and large lots, what they don't want to see happen is tearing down the lovely, iconic house that's been there since 1800. She said perhaps as generations change, there would be a way to allow that to become three units that would be invisible, to serve as a way for people to live close to town with all the amenities, but in an old house instead of in a new apartment building.

Mr. Gallaway asked about the notes and asked if answers were captured to some of the questions asked. He said there was one question about how the County earmarks land, and that not just knowing the answer, but how that question was answered was important to him. He said there were other specific questions, such as how the County funds solve the zoning issue, where he was curious how the question was answered. He asked if the exercise was about collecting questions that came up with the idea that they would get around to answering them later.

Dr. Pethia replied that it was some of both. She said the questions Mr. Gallaway just specifically identified came up during the community meetings held in the evenings. She said they didn't give any specific answers one way or the other, but they did talk about how there are areas across the country that have been able to identify land that the county or city owned that they have been able to use for affordable housing.

Dr. Pethia said it meant that they would need to look at their inventory, at what would be appropriate for housing, making sure it's in the right area, and if that was something they wanted to do. She said before they would do that, they would come up with a firm vision for what they wanted the space to look like, and that they set their priorities as a County as to what they would want to see there.

Mr. Gallaway said, if the conversations around some of those questions haven't been had, they need to get those conversations to happen. He said he didn't know if this could happen at the housing partnership, or continue through the process, but that he would hate to see these questions get asked but not discussed or answered at some point.

Mr. Gallaway said the resource barriers was one of the main categories, referencing page 6, topic 4. He said looking at the timeline, if they have a fully approved policy update that will inform policy recommendations, it would be coming into play in August or September which, timing wise, would be good for the next budget cycle.

Mr. Gallaway said with this being the timing, and the fact that they have been putting aside surplus funds into a housing fund for the last couple of years, that at some point, if they are going to have an ongoing strategy (which they all knew the policy was going to help inform what that would be), they should determine if they will continue with the process of simply using surplus funds, or if they will start earmarking ongoing monies on a regular basis.

Mr. Gallaway said if the policy recommendation would come to fruition in September, and they are about to start a budget discussion, the question was if they are ready start having that conversation this budget cycle instead of waiting for the next. He said he didn't know if this was an appropriate question for Dr. Pethia to answer that day, or perhaps in one of the Board's work sessions, as he believed she would be back during budget time for budget pieces.

Mr. Gallaway suggested they could start thinking ahead so that they have the monies available once the policy is in place and they can get to work, as opposed to waiting for another six months or into the next fiscal year. He asked what Dr. Pethia's response was to this.

Dr. Pethia said her personal preference was that talking sooner rather than later was better, but

that she had a concern. She explained the City relies strictly on the developer cash-in-lieu payments from their affordable housing program, which goes into their housing fund. She said they then allocate millions of dollars each year from their CIP budget. She said her concern from that was always that good times and bad times come and go, and that she would prefer not to have a housing fund that relied strictly on those funds, but to find alternative sources. She added that with this being said, anything they could do to contribute to the fund now would be appreciated and could be used.

Dr. Pethia said they could quickly come up with some guidelines for how a housing fund in the County would work, if this was the route the Board chose to take. She said some decisions would need to be made as to whether they are grants, loans, or a combination of both; and what the priorities would be for those funds, and if they would change annually, or be set out up front. She said structure-wise, they could develop this quickly and then begin to look at potential, other sources.

Mr. Gallaway said it was worthy of further discussion as they go through the budget that year. He said it may be something they have to consider. He said he understood it wasn't in place, but that they knew it was coming. He said in the past, they have put things in place ahead of time, and that he didn't see why this would be any different.

Ms. Mallek said these were all things that hopefully Dr. Pethia would be doing before April so that she has the information that is already out because otherwise, they wouldn't know what they were putting money aside for.

Ms. Palmer said she felt compelled to say they were currently putting a lot of money into affordable housing with the Southwood redevelopment. She said as Dr. Pethia was writing up the policies, it would be nice to understand how the Southwood investment plays into those so they can compare. She said they have already committed a significant amount of money to it, and she was curious how this would fit with the things that would be suggested as policy.

Dr. Pethia said the project itself fits within many of the categories of recommendations the Stakeholder Committee is making. She said it covers affordable housing, in general, for lower-income households, looking at revitalization, and also preservation. She said it is close to transportation as well.

Ms. Mallek added that non-displacement was very important and was hopefully on Dr. Pethia's list.

Dr. Pethia agreed. She said several months ago, she came before the Board with the Anti-Displacement Policy and needed to get the guidelines back to the Board to approve those. She said this would be incorporated into the policy as well.

Ms. Palmer said when they get into the budget discussion of how much additional money to put in, they need to make sure they recognize that this is a substantial amount of money that's in there, and that it was important for the public to know.

Dr. Pethia said one of the recommendations the Stakeholder Committee has made, as well as many of the community members she spoke with, was that the County needs to do a better job at communicating what their activities have been housing-wise, how much money has been invested, and how many units there have been. She said she would be working with the Stakeholder Committee to develop a set of metrics to help measure their progress, set a baseline for where they are today, then measure progress towards whatever housing goals are adopted, and find a good way to send it out community-wide on a regular basis.

Ms. McKeel said she assumed that because the City of Charlottesville is a city, it has the ability to pull down more federal dollars for affordable housing than the County does, and that the County is more in the box of competitive grants.

Dr. Pethia replied this was correct.

Ms. McKeel said this was important for the public to understand. She said she didn't want to overstate this, but that the City automatically gets federal funds because they are a city. She said the County has to go out and depend on competitive grants that they may or may not receive, and that they do not have control over who makes those decisions and how much they get.

Dr. Pethia said this was true. She said the City is an entitlement community when it comes to the Community Development Block Grant (CDBG) and the Home Investment Partnership programs. She said the City gets a chunk of money that, though not huge, was good to do community projects with. She said the home funds in the City are used to pay for down payment assistance, and for some rehab projects with Albemarle Housing Improvement Program (AHIP). She said the CDBG funds focus more on community improvement. She said the County has to go through DHCD, which is more competitive.

Ms. Palmer asked if the Northern Virginia counties that act more like cities can do this as well.

Dr. Pethia said she would have to check into that.

Ms. McKeel reiterated that it was important for the community to understand that the City and County live in very different worlds.

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Agenda Item No. 11. Perrone Robotics Crozet Shuttle Close Out Report.

The Executive Summary forwarded to the Board states that Perrone Robotics, Inc. (Perrone), based in Crozet, Virginia, was founded in 2003 and develops mobile autonomous robotics solutions.

Perrone developed an autonomous neighborhood electric vehicle shuttle service for County residents in collaboration with JAUNT, Inc. ("JAUNT"), a public service corporation providing transportation services in Albemarle County, the City of Charlottesville, and Nelson County.

Perrone conducted a three-month pilot program that shuttled members of the public on routes in and around Crozet with a professional safety-trained driver, whilst collecting data and feedback. Perrone, as agreed, is providing a final presentation detailing the results and findings on this pilot program.

This discussion is presented by Perrone Robotics, Inc. (PRI) for Albemarle County (County) and the Economic Development Authority of Albemarle County (EDA) and serves as the final report regarding the piloting of an autonomous electric shuttle vehicle for use by the general public in Crozet, Virginia from July 9, 2019 through October 8, 2019.

No budgetary impact

Staff recommends that the Board receive this presentation for information.

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Mr. Doug Walker (Deputy County Executive) presented. He said he would provide a close out report on Project Knight Rider. He said some Board members may recall that the Knight Rider moniker harkens back to the TV show where there were both human and non-human characters, including an autonomous vehicle. He said as Economic Development likes to use its project names to be somewhat obscure but clever, this is where Project Knight Rider came from. He said as projects are revealed, they change the orientation.

Mr. Walker said there is a team of project partners including Paul Perrone and Brad Sheffield, along with Kevin McDermott (who would speak to the Summary Report). He said the project was started in a conversation between Roger Johnson and Mr. Perrone as part of a Business and Retention Expansion (BRE) visit, which is a fundamental part of the Economic Development program to meet with existing businesses to determine their needs, interests, and opportunities. He said in that conversation, an opportunity was revealed in having Perrone Robotics' work be more visible at the Barnes Lumber property in Crozet.

Mr. Walker said that at the same time, the Barnes Lumber project was in motion, and a challenge had already been identified with satellite parking, as the project moved forward. He said with the test track that Perrone Robotics has there, and with the parking issues that were apparent, the question came up of doing some shuttle parking using autonomous technology.

Mr. Walker said JAUNT came in with its own interest in advancing technology as a possible solution for its public transit services, and so the partnership then emerged with the County, Perrone Robotics, and JAUNT in putting together the pilot project with its autonomous character, Tony. He presented the report on the pilot project that the Board supported that was implemented back in July and is now finished.

Mr. Walker introduced Mr. Perrone.

Mr. Perrone said he would give an overview of the project. He said they retrofitted the vehicle they call "Tony" to navigate as an electric neighborhood vehicle, which is a zero-emissions, all-electric vehicle with solar panels that recharge the vehicle. He said it was unique in that there are software and sensors mounted onboard to make the vehicle drive completely on its own, with no driver.

Mr. Perrone said the project ran for a 90-day period that started in July, after a launch event in Crozet. He said there were also a couple celebrities there, such as the founder of Atari, amongst others. He said they operated the shuttle for 90 days and brought it down to a major, premier autonomous vehicle (AV) conference in Florida, where it garnered a lot of attention. He said people were blown away by the capability imbued in this vehicle, and that went a long way.

Mr. Perrone said there was a safety operator onboard. He said even though it was a six-seater vehicle, there was someone in the front seat who also acted as an ambassador to answer questions. He said this person didn't have to touch the steering wheel, brake, or throttle for any time during the public operation of the vehicle, as it drove completely on its own. He said it operated over multiple routes; there was a demonstration circulator within Old Trail, then they ran it from Old Trail to the Downtown Crozet Business District, and then into neighborhoods, from there.

Mr. Perrone said the feedback was phenomenal. He said they gathered feedback as they operated the vehicle, and that generally, riders were enthused by the fact that they could take the shuttle from Old Trail to the Downtown Crozet Business District (DCBD). He said they received a call about students at the high school who wanted to get to their ballet class in Downtown Crozet, asking if they could run the shuttle for them. He said there were many special requests they received, but that they



stuck with the demonstration routes during the duration of the pilot. He said there was also a lot of favorable media coverage.

Mr. Perrone presented the results of the pilot. He explained that the zeroes on the screen were all good zeroes, meaning that there were zero incidents, zero safety disengagements, and zero emissions. He said the zero safety disengagements are very important because when looking at other competitive autonomous shuttle activities across the U.S., they disengage 30% of the time, or a person had to take over while they were driving through intersections. He said with their pilot program, they did not have to do that because of the capability and level of autonomy of this vehicle being able to handle roundabouts, poor weather conditions, and traffic conditions.

Mr. Perrone said one of the goals of the project was the Economic Development aspect, and that he was extremely thankful for being able to engage in the project. He noted the industry is competitive, and that there has been an explosion in the past year of projects across the country and world now talking about autonomous shuttles when there was a smaller handful a year earlier.

Mr. Perrone said that as a direct result of the project, members of the Jacksonville Transportation Authority rode in their shuttle in Florida, and that his company was awarded a major contract at what will become the nation's largest public autonomous transit operation (if not one of the largest in the world, given the ultimate vision of the program). He said Jacksonville has made it public that this will be a \$500 million operation they will be deploying, and that Perrone was selected over the competitors in their space. He said this was a direct result of those members riding in the shuttle.

Mr. Perrone said over the past six months, Perrone Robotics has secured contracts with two Fortune 100 companies -- one a logistics company, and one an entertainment company. He said these are all early stage projects where the downstream opportunities are for thousands of vehicles, so there is a large revenue opportunity. He said they are doing this in the midst of a capital fundraising effort to try to raise \$20 million for a Series B round, and the interest level from investors has been extraordinary.

Mr. Perrone said his company intends to stay in Albemarle County, grow their business there, and have the headquarters there. He said this has been a tremendous boon, as they can demonstrate this in their own backyard economically and for the world.

Mr. Perrone said he has published a report that the Board members had copies of.

Mr. Perrone said the Board may have heard about other shuttle activities taking place again, even in the Commonwealth, Northern Virginia, and other parts of the country. He said this was the first autonomous shuttle that has operated on public roads for the public in Virginia. He said given the level of autonomy (which is hard to quantify, as there are no refined definitions as to beyond what is called five levels of autonomy), where they are operating through intersections and roundabouts, it was a first for the U.S. because most of the other programs doing this had interventions of the vehicle where they had to manually drive it for large portions of the course.

Mr. Perrone said zero safety disengagements meant that the safety operator/ambassador in the driver's seat really had nothing to do but talk to people. He said technically, this is a Level 5 autonomous vehicle, since there was no human intervention during the operation of the vehicle. He said these were significant milestones.

Mr. Perrone thanked the Board members for having the vision and decision-making prowess to help make the program happen. He thanked the Economic Development Authority, and many individual members of the County (including Roger Johnson, Kevin McDermott, and Emily Kilroy) who helped along the way, as well as Brad Sheffield (JAUNT) and Chris Roland.

Mr. Walker said one thing that was clear was that as a Community Development function in the planning work was that the time was now to be taking seriously the opportunities to incorporate autonomous technology into planning. He said they were not sure what this looked like, but that this is what they do as Community Planners. He said whether it is the Comprehensive Plan, Small Area Plan, or Master Plan, the Board could expect that Planners will be incorporating elements of autonomous aspects as it relates to autonomous transportation.

Mr. Brad Sheffield (JAUNT) said there were two profound things that JAUNT learned from the process. He said autonomous technology will go hand in hand with electric vehicle technology, and for JAUNT (or any transit system) to expect to adopt any autonomous technology, they should also plan to adopt electric vehicle technology. He said this is what gave partial birth to the all-electric vehicle they recently launched. He said they know they have to understand the logistics of operating those types of vehicles.

Mr. Sheffield said that from a Community Planning standpoint, how one operates an autonomous or electric vehicle on a continuous basis is very different than how a consumer (an individual owning their own personal car) operates an electric vehicle. He said individual owners are parking their cars in a parking spot and charging up either overnight or in a parking lot.

Mr. Sheffield said from a continuous operations standpoint, however, you don't park but simply keep going. He said it was not just JAUNT, but package delivery services and municipal services as well, where people are moving through the community on an ongoing basis throughout the day. He said they will need to figure out charging operations because the community will look to the County to help provide

guidance of how that gets integrated into future land use planning. He said JAUNT is already starting those conversations with developments like Stonefield and Woolen Mills to figure out how to get the right infrastructure in place to allow for them to connect to those places with their future electric fleet on a continuous basis.

Mr. Sheffield said it was an intriguing thing for JAUNT to know is this is where things are headed, and that they are trying to make sure that from an operational standpoint, they are ready.

Mr. Sheffield said another thing coming up is that as JAUNT looks at exploring how they operate an electric transit vehicle, at the same time, there are grant opportunities to still explore the autonomous electric vehicle effort. He said based on their previous efforts with the USDOT grant proposal, they are building on that to carry forward the idea of partnering with Perrone, the County, and JAUNT to figure out how to bring the two efforts (autonomous effort, and JAUNT's electric vehicle effort) and continue forward. He said they will be talking with the State and VDOT to walk through the proposal and see where it heads.

Mr. Sheffield said that without a doubt, the federal government will continue to put grants out, looking for innovation in this area. He said he would likely be coming forward in the future with those types of ideas as well.

Ms. McKeel said she had a relevant update around the next round of Smart Scale applications for funding the work around the Hydraulic intersection. She said the update indicated that VDOT intends to circle back and figure out the Zan Road Bridge, which would be built from Stonefield to the other side (in the City) and would bring the communities together and be important to economic development. She said the work is trying to figure out how to control the cost on the bridge and get a maximum benefit so that it might be a success for Smart Scale. She said the County has \$18 million left over they could use that must be used for 29 North.

Ms. McKeel said they have looked at that bridge as being vehicular and bike/ped in nature. She said perhaps what they should start thinking about is, rather than having large buses, having an autonomous vehicle. She said if they had an autonomous vehicle like Tony connecting people from one side to the other, it could perhaps reduce expenses.

Ms. McKeel said she was only brainstorming, and that it seemed as though if there was an autonomous vehicle there, they wouldn't need to run a CAT bus and that it could reduce the cost of the bridge. She said she was not talking about taking out pedestrian or bicycle access, as that is critical. She asked for reactions from the team on her thoughts.

Mr. Kevin McDermott (Transportation Planner) said he thought this was a great point that they could bring up to VDOT. He said he couldn't remember what the weight was on the shuttle, but that he imagined they could build a bridge with something like this that would be less expensive. He said because there are extra benefits in Smart Scale scoring for transit, there is the possibility that they could get the extra points for the score.

Ms. McKeel mentioned there were also environmental benefits.

Mr. McDermott agreed, stating that electric vehicles could influence the score.

Mr. Perrone said neighborhood electric vehicles like the one that was operated in Crozet was about 1,100 pounds. He said there are two, four, and six-seaters that are 600, 800, and 1,000 pounds, respectively.

Ms. Mallek said even if it is a one-ton capacity, school buses are 10 tons.

Mr. Perrone said their retrofit kit and what they are doing in Jacksonville is going in a 19-passenger electric transit van that is ADA compliant. He said there are lighter-weight vehicles as well as larger transit vans.

Ms. McKeel told Mr. McDermott she thinks that they should think about this for the Zan Road Bridge, at least to have autonomous vehicles as an option.

Mr. McDermott agreed, stating he could reach out to VDOT as they are reviewing this. He said there were discussions about possibly only making it a bike/ped bridge to make the connection, but perhaps the autonomous vehicle could be added on.

Ms. McKeel said this idea was much better. She said she had pushed back when she heard the suggestion about only having bike/ped, as she very much wants some sort of vehicular transit there.

Mr. McDermott said he would discuss this with Chip Boyles and the VDOT staff looking at the project.

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**Recess.** The Board recessed its meeting at 3:16 p.m. and reconvened at 3:31 p.m.

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The Executive Summary forwarded to the Board states that, pursuant to Virginia Code § 63.300, all counties in Virginia are required to establish a local board to oversee the provision of social services to its residents. The Board of Supervisors established the Albemarle County Department of Social Services Advisory Board in 1997. One of its required duties is to make an annual report to the Board of Supervisors, concurrent with the Department's budget presentation, concerning the administration of the public welfare program.

The FY19 Annual Report provides a summary of the Department's programs and services, including the number of cases in each program area for the year, coupled with stories of some of those served. Also included are the Department's Key Performance Indicators and unaudited statements of financial resources. Of note in this report is the continued increase in the number of individuals served through our Department's Medicaid Program due to Medicaid Expansion. Additionally, increases are noted in Child Protective Services and Adult Protective Services referrals and Child Care Subsidy. Our family engagement efforts continue as demonstrated by the increase in numbers of Family Partnership Meetings. Finally, the workload measures data show that the department continues to operate with less than the required number of staff as determined by the 2008 VDSS Workload Measures study.

Funding for the Department of Social Services is included in the County's annual operating budget.

Staff recommends that the Board receive the Department of Social Services Advisory Board's FY19 Annual Report as presented. No formal action is required

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Ms. Jennie More, Chair of the Social Services Advisory Committee, presented. She said she would highlight some of the information in the annual report.

Ms. More said page 2 included the letter from the Advisory Board, and there was the theme of "Contributing to and Serving the Community." She said she wanted to highlight their commitment to the County's public service covenant, that they will provide every customer with an experience that is professional, empathetic, and responsive, as well as their commitment to improving the lives of the customers. She said their tagline continues to be "Listening to the Need ... Working Together for Solutions."

Ms. More said page 3 includes the Key Performance Indicators (KPIs). She said Medicaid applications continue to be a challenge. She said they still receiving applications from the processing center at the Department of Medical Assistance and that they are already overdue. She said applications can also be delayed if they are awaiting a disability determination.

Ms. More said page 4 includes workload measures. She reminded that these numbers were based on antiquated weights developed in the early 2000s and updated in 2008. She said they had hoped the State would complete the updated workload measures study that year, but that the contract with the vendor expired prior to completion of the study. She said the areas of most critical need are benefits, foster care, and adoption.

Ms. More said there was a graph on page 6 that shows the imminent risk of placement, which shows the outcome of family partnership meetings for children who are at imminent risk of placement. She said while the family partnership meeting process can be labor-intensive, it is a way for everyone to come to the table and have a role in the decision-making process for the entire family.

Ms. More said page 7 shows that the Child Welfare team continues to work hard to find alternatives to foster care, but that when children do enter care, they strive to find permanency, as evidenced by the number of finalized adoptions. She said this was shown on the graph on that page. She said in FY 19, they also returned a total of 13 children to their families.

Ms. More said page 8 showed the number of eligible households and individuals for SNAP (Supplemental Nutrition Assistance Program). She said this correlates with the low employment rate. She said TANF (Temporary Assistance to Needy Families) continues to be the program with the lowest number of clients, but that that year, they were changed from Group 2 to Group 3 agency, meaning they can offer a higher benefit.

Ms. More said page 9 shows that emergency assistance is largely affected by how cold the winters are, and how hot the summers are. She said with the Auxiliary Grant, they continue to struggle with finding a facility that will accept the Auxiliary Grant funding.

Ms. More said page 10 shows that their new strategic plan has a goal, which states, "to increase the number of DSS (Department of Social Services) customers who obtain employment in high-demand, high-growth, high-wage industries targeted by the County." She said the Career Center and View have a critical role in helping them achieve their targets in this area, as they are the workforce services experts in DSS.

Ms. More said they are proud of their staff's efforts to work with clients to find childcare providers who can, and will, accept the childcare subsidy funding.

Ms. More said Medicaid has been an area of significant growth due to Medicaid expansion. She

said the note on the chart on page 12 shows the additional number of uninsured patients at UVA Hospital due to Medicare expansion. She said their long-term care applications have increased significantly over the past two years. She said primary reasons include an increase in the aging population and a focus on aging in place.

Ms. More said page 13 was about adult services. She said like Child Protective Services, they decided to demonstrate the number of referrals versus the number of validated referrals. She said unlike CPS, APS often struggles with being able to intervene, since adults have the right to self-determination. She said in other words, if an adult has capacity, they have the right to refuse service, and that the department must respect that.

Ms. More said she worked as a social worker, and that it is embedded in social workers to always try to help. She said one of the hardest things is to walk away from someone who needs help, but that it is very important to respect an adult who understands the situation they are in. She said they can try to offer services, but the person has the right to refuse those. She said it is very important that they walk away, but as a social worker, it is one of the most difficult things to do.

Ms. More said the graph on page 14 shows how many housing vouchers are being used in specific locations, as well as the general mainstream voucher. She said they issued approximately 51 new housing vouchers in FY 19.

Ms. More said they continue to present information on the numbers of customers they see with limited English proficiency.

Ms. More highlighted on page 15 the revenue that is brought into the community from federal, state, and local assistance programs, including direct financial assistance. She explained that the column on the left was the total amount of revenue brought into the community. She noted this was a page worth spending more time on.

Ms. More said it was important to highlight on page 16 the information, charts, and datasets, but it was essential to remember the importance of bringing the human touch to the work they do at ACDSS. She said they have included acknowledgements and personal stories and encouraged the Board to take the time to read them.

Ms. More said ACDSS appreciates the Board's ongoing support of the department, as it performs a valuable service to the community.

Ms. Palmer mentioned the Auxiliary Grant and asked Ms. More if she had any further information about it.

Ms. More replied that having worked with Adult Services, being able to find the grant allows for adults who don't have the income to stay in assisted living facilities, which are very expensive. She said in this community, when there was someone who qualified back when she was working for the department, there was only one main facility that would accept the auxiliary grant because they were essentially accepting a lesser amount than they would get from a private individual paying the full price.

Ms. More said those individuals are in the community and they need to find the placements for them, and so those partnerships are critical in being able to find beds. She said even when they were having more success with places that would dedicate a certain amount of beds to accept the grant, it is still a struggle to get everything to line up right for the person to be able to move into the facility, and for the funding to be in place. She said changes in the area have made it so that there is a lack of those beds.

Ms. More said even when there were some beds available to DSS, this would often result in looking at places far outside the community. She said there are families no longer able to take care of a partner, and it is ideal for them to be able to move them somewhere where they can visit them. She said this is a real challenge, and ideally, they would keep those members in their community, making it less disruptive for them to make a change that is a hard part of life to go through. She said even back when they had more beds available in the area, they were also looking outside, even hours away. She said there are then potentially elderly partners and family members who will have to travel to see their family members.

Ms. More said she feels there is a collaboration they could come to with the new businesses that are opening and try to create some partnerships that might address this need. She said as with most things, the partnerships with community members enhances their ability to serve those who they need to help.

Ms. Palmer said Phyllis Savides has talked to Dr. Pethia about the housing policy, as this would show up in the housing policy.

Ms. Savides said this was not specifically called out in the policy but was part of the package of trying to find more affordable housing. She said the issue with the auxiliary grant is that the amount that an individual is entitled to is smaller than the facility is willing to take. She said the Housing Committee cannot really impact that, as it's an eligibility program.

Ms. Savides said there is a budget amendment in the General Assembly that proposes an

increase to the auxiliary grant amount, and that she was hopeful this passes, as it would help to be more attractive to some of the facilities. She said a major loss was when Mountainside was sold, and that they are not replacing the beds set aside for those auxiliary grants.

Ms. McKeel asked if the bill number could be sent to the Board, as she was happy to support it.

Ms. Mallek said the budget items are often hard to find in the General Assembly. She said the auxiliary grant was either federal-to-state or state-only money, and in the 12 years she was working with Mountainside, the State cut the amount they were providing. She said JABA had to raise \$2,000 per person, per month in shortages, which was a huge amount. She recalled there were 44 beds when the facility was sold. She said when it was sold, members of the Board were told that those people were going to get to stay, and that she would be disappointed if they were not.

Ms. Savides said they get to stay, but when they move, or when they pass away, then the auxiliary grant is not continued for a new resident.

Ms. McKeel said from a JABA board perspective, they had been allowed to stay. She said they just cannot continue the grant.

Ms. More said the bed doesn't stay, and that was a great example of a partnership they had where the people they worked with at Mountainside understood the funding that needed to get into place to get someone in. She said with this loss, the community has to come up with creative solutions.

Ms. Mallek said that before 2010, both the City and the County each put in \$40,000 into the auxiliary grant program because many of those people were former employees who outlived their resources. She said this went away and that there was a re-scrambling of the JABA budget to make it as good as it could be, but unfortunately, the majority of it was not there to do what was right.

Ms. LaPisto-Kirtley asked if the County had a process at assisted living facilities similar to when a new development is built, they ask for a certain percentage of affordable housing. She asked if some adequate units could be set aside or allow the facilities to build a few extra units to encourage that.

Ms. More said she has discussed a similar idea with Mr. Walker. She said this also encourages the businesses to be good community members.

Ms. McKeel said she recently toured The Blake, which is on Rio Road and is a new assisted living facility that also includes memory care. She recalled that when they were talking about the units and price, that they had a number of small units that were relatively much cheaper per month.

Ms. Mallek said it would be wonderful if the Commonwealth would say, as part of their licensure, that it is part of their obligation, noting that other states do this. She said she was sure it was perceived as a burden by businesses, but that it would be a way to have some affordable units at each establishment instead of having one business taking care of everyone.

Ms. McKeel recalled that DSS was working with a contractor to conduct a workload study.

Ms. Savides replied that ACDSS was not doing this, but the State was. She said they did a lot of work in the last year to respond to surveys, and much of her staff was involved. She said they received notice a couple weeks ago, which was quite sudden, that the contract that DSS had with the vendor expired, and so everything came to a screeching halt. She said they are still trying to figure out what will happen next, and needless to say, they are disappointed.

Ms. McKeel said if she remembered correctly, there was a real concern around the workload and many positions that possibly could have been needed. She said her notes say that the State of Virginia DSS had not been in compliance in the 13 areas that were reviewed by the federal government. She said everything coming to a halt was a huge problem.

Ms. Savides said Ms. McKeel may be referring to the Child and Family Services review that the State went through. She said they did not pass it, and that her agency had been very involved in developing the program improvement plan.

Ms. McKeel said that they had been chosen as one of the few sites working on that.

Ms. Savides said this was partly because of the good work that they do.

Ms. McKeel agreed. She asked how the Board could help, as she was very disappointed if the study had gone away.

Ms. Savides said she would think about this and do some research.

Ms. McKeel said it was very concerning.

Ms. Palmer said the Board would get to discuss this again with DSS during budget time, and asked Mr. Richardson if this was the case.

Ms. McKeel said she would still like to be able to do something about the workload study, in the

meantime, and that perhaps the time to do that is while the General Assembly is session.

Mr. Gallaway said DSS was moving into target for being a good financial steward of resources, and from the previous year. He said there were many different factors that made for a big percentage last year, such as the rollover of staff, and he was glad to see this was coming closer to the target.

Ms. More added that DSS meets on the second Tuesday of every month, and that the Board receives their email containing topics. She encouraged the Supervisors to attend as they are able. She said all the presentations they receive are amazing. She thanked Ms. Savides, noting a lot of what they see are employees coming to her with creative, innovative ideas, and that she listens to them. She said it is an amazing group to be a part of and witness.

Ms. Palmer thanked Ms. More for reminding the Board of this. She recalled that years ago, she asked for the Board to be on the mailing list, but that she didn't remember receiving anything in the last year. She asked Ms. More to make sure the Board is on the email list.

Ms. McKeel agreed that the meetings fall off the Board's radar because it was not on their calendar and easy to miss.

Ms. Palmer said they were receiving emails for a while but that this may have dropped off in the last year.

Ms. Savides said they would make sure the Board is receiving them.

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Agenda Item No. 13. Bright Stars Annual Report FY19.

The Executive Summary forwarded to the Board states that, as a result of the Virginia Preschool Initiative (VPI) funding initiated by Governor Wilder in 1994, the Board of Supervisors established the county's Bright Stars program as a collaboration between the Albemarle County Department of Social Services, Albemarle County Public Schools, and the local government. The Department of Social Services serves as the coordinator and fiscal agent for the program. The first classroom, which opened with the start of the 1995-96 school year, was established at Stone-Robinson Elementary School. This year, (FY19) the program had eleven classrooms in seven elementary schools, including two each at Agnor-Hurt, Cale, Greer and Woodbrook, and one classroom each at Red Hill, Scottsville, and Stone Robinson. In 2009, the Preschool Network for Albemarle County was established to oversee the braiding of funding streams from the VPI, Title 1, and Early Childhood Special Education to serve more children in inclusion classrooms.

The FY19 Annual Report includes a review of the Preschool Network services, including the number of children served and the outcomes on measures of socio-emotional development, academic achievement and family engagement. Also included are the program's Key Performance Indicators and VPI unaudited finances.

Continued funding for the program is being requested in the FY20 budget.

Staff recommends that the Board accept the FY19 Bright Stars Annual Report.

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Ms. Carol Fox, Bright Stars Program Coordinator for Albemarle County Department of Social Services (DSS), presented. She said Tyler, who is a DSS Specialist for the Bright Stars unit and Family Support unit, was giving each of the Board members a basket. She thanked Tyler for her extraordinary work, explaining that she joined the department in September, quickly acclimated, and has been a tremendous support in pulling together the annual report, as well as the presentation.

Ms. Fox said she had the pleasure of sharing with the Board the many successes of the Bright Stars program during the 2019 fiscal year, as well as provide a glimpse into the work being done in the classrooms, and by the dedicated and hard-working Family Coordinators.

Ms. Fox said she would take a moment to recognize Tyler, as well as the support she has received from Ms. Savides and others in DSS. She said they have been helping her acclimate and navigate some significant challenges that the program has gone through.

Ms. Fox said that while the program provides a focus on learning and school readiness skills, such as letter and number recognition, what they know from experience and research is that in order for children to be available for learning the school readiness skills, their needs need to be met first. She said in the world of education, it is often said, "Maslow before Bloom," which references Maslow's Hierarchy of Needs and Bloom's Taxonomy of Learning.

Ms. Fox said falling into this is the social-emotional domain, and one of the primary focuses in preschool, in addition to learning the school readiness skills in the academic domain, is the ability to self-regulate, to calm the mind and body, and position oneself to be ready to learn.

Ms. Fox said in the Board's baskets, they had what they call "fidgets." She said after hearing people speak for hours, fidgets may peak the Supervisors' interest. She said they had pipe cleaners for twisting and bending, and they are also used in the classroom to help the children learn fine motor skills

by making shapes out of them. She said they also have mandalas that they use with the children for them to color, help them slow their breathing, get regulated, and increase focus.

Ms. Fox said the baskets include both crayons and colored pencils, as they like to offer choice, and it gives the children a sense of power and agency over their own decision making. She said the baskets include stress balls filled with rice so that, in addition to exerting the physical pressure, it also helps children increase their fine motor skills, so they are ready to hold a pencil or cut with scissors.

Ms. Fox said the baskets included thinking putty (silly putty) which helps in terms of fine motor acuity. She said they also included bubbles just because they're fun. She said she hoped the Board enjoyed their baskets, which include things that are used in the classroom, and that the Family Coordinators also use those items when visiting families to help the families help the children learn their self-regulation skills.

Ms. Fox said the current year marked an extraordinary number, as it was the 25th year of the program, with the first classroom having opened in 1995. She said to date, 2,280 children have been enrolled in the Bright Stars program, and that this didn't mean that they have only served this many, as each of the children has a family and siblings that the Family Coordinator supports. She said this number was actually much higher.

Ms. Fox said in the past fiscal year, they served 186 children in 11 County schools, and were also able to serve 13 children through mixed-delivery private placements. She said they worked with JABA's preschool classroom as well as with the International School of Charlottesville. She said they were able to do this through funding with not only Virginia Preschool Initiative (VPI) dollars, but also through the United Way and early childhood special education, as well as Title I funding.

Ms. Fox said the Bright Stars classrooms continue to be diverse learning environments, which is what they desire for children. She said 7.5% of more children in the Bright Stars classrooms are African American or Latino than the overall student bodies in those same schools. She said English was not the primary language of 6.7% more students in the Bright Stars classrooms than in the overall student body. She said approximately 40% of the children are dual language learners.

Ms. Fox said 77% of the children came from homes that lived with at least one biological parent. She said 35% of those were single-parent homes, and 89% of the children are eligible to receive free or reduced meals at school.

Ms. Fox said some of the activities and experiences that fall into the program focus on aspects of family well-being, including family support and ensuring that children receive adequate health and dental care. She said they continue to have a partnership with Sentara Martha Jefferson Hospital, and that this year, they provided \$3,000 so that they are able to get children to the dentist for the first time. She said often times, they have children with significant dental needs, and that this helps to offset some of those costs.

Ms. Fox said they encourage the children's natural curiosity and learning. She said the children often engage in field trips and hands-on activities. She said the families are encouraged to participate in those field trips as chaperones, or volunteer in a classroom, attend parent-teacher conferences, or coming to school for special events such as lunch, Donuts with Dad, and other events.

Ms. Fox said in terms of alumni, they continue to see a significant need for serving the children in grades K-5 and, in some cases, the relationship with the family extends on to children in middle school. She said the goal is always to promote self-sufficiency for each family, connecting them with community resources and continuing to foster the important relationship between the home and school. She said that continuity of care and support provided by each of the Family Coordinators is a key element of the program.

Ms. Fox presented results regarding the preschoolers' ability to identify numbers, shapes, and patterns. She said in the spring, 70% of the Bright Stars children met the minimum standards for numeracy skills, compared to only 17% in the fall, which was a significant gain. She said those gains continue for the children through 3rd, 4th, and 5th grades.

Ms. Fox said Albemarle County Public Schools has switched to more of a growth model, and so for the next year or so, it will be somewhat tricky to compare the data, as they transition in the way that they are reporting student growth. She said in the end, it will be wonderful because it is more of a growth model, but over the next year or two, it will be trickier to see how the Bright Stars are doing until it all realigns.

Ms. Fox said looking at the preschoolers' literacy skills, the Pre-K Pals assessment is used across the State and looks at alphabet knowledge and recognition, letter and beginning sound awareness, and how pictures and words work together. She said that by the end of the preschool year, 76% of the children had passed their Pre-K Pals assessments. She said they were not quite at the State average of 88%, so there was clearly room to grow. She said focusing on the gains and the skills the children are learning are more important than worrying about exactly where they need to be. She said they will always be trying to learn, grow, and improve that.

Ms. Fox said in terms of the long-term academic benefits, she knows from the data that the benefits continue well into the critical SOL (Standards of Learning) years (3rd, 4th, and 5th grade).

Ms. Fox said family engagement, which is a key component and something the Family Coordinators focus on extensively, it is a significant indicator and predictor of long-term success in the schools. She said they look at things such as attendance at parent-teacher conferences, open house, and back to school nights. She said they ask that every family member attend at least four of those events each year, and that they work with the families to help that happen, arranging for transportation and childcare on site. She said they try to remove all the barriers that families might encounter that prohibit them from participating in school events.

Ms. Fox said in terms of personal and social development, there is a positive correlation between children's early mastery of those development skills and the personal, social, and emotional domains, and their success in kindergarten. She said kindergarten teachers will say that the kids don't need to come in knowing their letters, numbers, colors, or shapes, because how they interact with other children (problem-solving, sharing) and how they work independently is important. She said when looking at growth the children make over the course of the year, this is a significant area of focus in the classrooms.

Ms. Fox said in terms of parent satisfaction, the parents continue to be very pleased with the program. She said 99% of the parents report that their child is better prepared to enter kindergarten, having participated in the program, and that 93% report that their child and family benefited from participation.

Ms. Fox said the next page of the report was staggering to look at, and that there were other graphics in the report associated with this that she had removed because she wanted to focus on this, and that is the number of 60.5% that is transferred over. She said there is tremendous support from the Albemarle County Board of Supervisors and community, as well as trust and faith in the quality of the program with the continued financial support. She expressed gratitude to the Board and community for recognizing and continuing to support this critically important work that is done at the preschool level.

Ms. Fox said the question was asked if they could have a preschool program without VPI funding, and that she didn't see how it could happen. She thanked the Board again for their support.

Ms. Fox shared a story that a Family Coordinator wrote about a December Family Night and figuring out how to spend less money on the event.

Ms. Price said she was moved by the visible progress that is shown each year from fall to spring. She said even more than that, she was moved by the way the progress continues through 5th grade. She said when she thought about the positive impact that this has on the children, she couldn't help but think about her visit last summer to Farmville's Moten Museum, where they were commemorating the 65th anniversary of Brown vs. the Board of Education. She said there was an impact on those students who lost the rest of their education when the schools shut down because it wasn't just those students, but their families, children, and grandchildren.

Ms. Price said what the preschool program was doing that and instead of having a negative impact, they are giving these children, their children, and grandchildren a future they would otherwise never have.

Ms. Fox said this was easy to do when they love their work. She agreed that they are not only impacting the children's lives, but their families, which impacts the community and is generational. She said trauma is generational, and so is building resiliency and self-sufficiency.

Ms. Price agreed, adding they are breaking the cycle of poverty.

Ms. McKeel said Bright Stars was actually started by County government, as they had a Deputy County Executive, Roxanne White, who was adamant that the community had to address the challenges with its preschool children. She explained to the newer Board members that this was why the Board receives this report rather than the School Board. She said the County does share the program with the Schools.

Ms. Palmer added that the mandate for County schools is K-12, and so the government needs to cover the preschool costs.

Ms. Fox said Albemarle is the only locality in the State of Virginia that the preschool initiative is run through the local government. She said with all that is happening at the State level with the Governor's budget proposal for early childhood, it is with great pride she is able to share the successes they have and the work their Family Coordinators do. She said family engagement is a key element across the State, and many programs have family coordinators of some degree, but nothing like what Albemarle has.

Ms. LaPisto-Kirtley asked if Albemarle had any elementary schools that do not have a Bright Stars program.

Ms. Fox said the program was in 7 of the 16 elementary schools in the County.

Ms. McKeel said the children in the surrounding areas can go to the other schools. She said it doesn't mean that children are necessarily excluded because of where they live, because they can be transported to a different school district for Bright Stars. She added there are some hardships because



sometimes parents have to drive them a longer distance.

Ms. LaPisto-Kirtley asked about the waiting list for children.

Ms. Fox said they were in great shape. She said historically, at the end of the calendar year, many families transition to other localities, resulting in vacancies. She said the Family Coordinators have been working over the past couple weeks to fill openings. She said they received an application for a child from the City who has moved to the County and are trying to figure out where to place her. She said there is a virtually non-existent waitlist, and much of this has to do with the collaboration and coordination they have with the City preschool program as well as with Head Start. She said they look closely to serve as many children as possible. She said they also do this through their mixed-delivery grant.

Ms. Mallek recalled her days working in an area museum, and that the difference between an October Bright Star and an April Bright Star in a museum setting is amazing, as the kids are able to better engage.

Ms. Fox agreed that the growth is tremendous.

Ms. Mallek said in 2009, the alumni children of the program were able to speak to the Board about how the program affected them. She said she hoped Ms. Fox would be able to gather some kids to do this again, as it was powerful and memorable.

Ms. Fox said she has had recent discussions about having a year-end event.

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Agenda Item No. 14. Health Department Annual Update.

Dr. Denise Bonds, Director of the Thomas Jefferson Health District, presented. She said the annual update also included a page of highlights. She said she would offer to answer any individual questions about the update and the services offered. She said it could be a better use of time to update the Board about the Novel Coronavirus.

Dr. Bonds said a coronavirus is an infectious virus, and that there are four that cause common cold symptoms. She said they are spread through coughing, sneezing, and close personal contact.

Dr. Bonds said they are seeing a 2-14-day incubation period, once the person is exposed. She said two familiar viruses are SARS and MERS, which are outbreaks that in the early 2000s caused a significant problem in other parts of the world (not so much in the U.S.).

Dr. Bonds presented a picture of the Coronavirus.

Dr. Bonds said the current Coronavirus infection was titled the 2019 nCoV. She said as of that Monday, there were 20,000 cases. She said she just looked at the Situation Report from the WHO (World Health Organization), and there are now almost 25,000 reported cases. She said the actual number is probably higher because it appears that not everyone in China has access to testing.

Dr. Bonds said as of February 3, there were 425 deaths, which gives the case fatality rate (CFR) of somewhere between 2-4%. She said these were all estimates at that point, as they were so early in the epidemic.

Dr. Bonds said the infection started in China, in the City of Wuhan, which is in the Hubei Province. She said China had the biggest impact, and that most of the cases are seen there. She said China was also the location for the SARS Coronavirus that happened in 2002. She said there were about 8,000 cases of the SARS virus, with a much higher CFR of 10% (so about 775 deaths).

Dr. Bonds said MERS, another coronavirus, started in Saudi Arabia, and that about 2,500 individuals were infected, with a very significant CFR of 34%.

Ms. McKeel asked if Dr. Bonds could give the CFR for flu, for the sake of comparison.

Dr. Bonds replied that she would talk about influenza (flu) to put it in context. She prefaced by saying that the risk for Coronavirus at that point in time in their community was very low. She said there have been no Coronavirus cases in the State of Virginia. She said they were in the middle of flu season, however, and that flu has affected hundreds, if not thousands, of people in the community. She said there have been fatalities from the flu in the community, as they do each year. She said there is a vaccine that provides some protection and lowers the acuity. She said people can still receive flu shots at the Health Department.

Dr. Bonds said the Coronavirus is causing a lot of concern, and that people are very afraid of it. She said this was an appropriate reaction to something that is not well understood and could provide an impact. She said the flu, however, was seen every year and that there are actions that people can take to protect themselves. She said washing hands could protect themselves the most.

Dr. Bonds said the basic reproduction number indicates the average number of people who will get a disease from one contagious person. She said if there is one person sitting in a crowded room, this number would indicate how many people would be expected to be infected. She said MERS died out

quickly because it is hardly contagious at all. She said influenza is about 1 to 2, so if there is one person sick in a room, they will affect, on average, about 2 other people.

Dr. Bonds said the best estimates for the 2019 NCOV is somewhere between 1.4 and 3. She said these are estimates, and they are using numbers from China. She said China has been overwhelmed with the virus and is having trouble getting everyone tested and keeping track. She said the data may change as they gather more information. She said the number for SARS was 3. She said measles has an average of 12 to 18, which is why there is urgency about measles cases when they occur, as they are very contagious and can quickly spread through a community.

Dr. Bonds said the Coronavirus is probably at least as infective as influenza and could perhaps be more infective. She said this will likely change as they gather more data.

Ms. McKeel added that measles also has long-term health implications.

Dr. Bonds agreed, adding that there is a great vaccine for measles.

Dr. Bonds said one reason why people are so concerned about Coronavirus is because it is moving so quickly. She said this is also an indication that they are a global economy. She said the first 44 cases of pneumonia were reported out at the end of December, and that shortly after that, they saw the first case exported from China that was diagnosed. She said they began screening people for fever and symptoms who were arriving in the U.S. from China in mid-January.

Dr. Bonds said there is now a good test that the CDC (Center for Disease Control) is rolling out to states and should be Virginia in the next week. She said currently, if they want to diagnose someone, they have to send the specimens down to the CDC in Atlanta. She said she hopes that next week, they will be able to do this in Richmond, in Virginia's own lab.

Dr. Bonds said the first Coronavirus case in the U.S. was diagnosed at the end of January in Washington State, and that the patient has since been released from the hospital and is doing fine.

Dr. Bonds said in terms of how many people were sick with Coronavirus, it went from the 44 of the original case cluster to 24,000 known people who have been diagnosed with the case. She said it is a rapidly moving virus, through China in particular.

Dr. Bonds said the bulk of the cases are in China, which is where the bulk of the deaths have been. She said there were about 200 cases outside of China in 24 counties, with 2 deaths outside of China she was aware of.

Dr. Bonds said the U.S. has had 11 individuals that have been both tested and diagnosed with the 2019 nCoV. She said at least 2 of those were infected from close contact, so they have confirmed that there is human-to-human transmission. She said there was uncertainty about that at the start because it started in an animal market, and it was thought that the original transmission was from animals to humans. She said now, there is definite confirmed human-to-human transmission, which is probably driving the large case numbers seen in China.

Dr. Bonds presented a list of people considered as persons of interest for Coronavirus. She said this includes those having fever and symptoms of a lower respiratory illness that is a cough or difficulty breathing, plus travel to Hubei Province within 14 days of symptom onset. She said alternately, a person could exhibit fever and symptoms of a lower respiratory illness and close contact with a laboratory-confirmed patient. She said a person could have fever and symptoms of a lower respiratory illness, require hospitalization, and have a history of travel to China within 14 days. She said the last set of criteria were recently added to account for the large number of cases being seen in China outside the Hubei Province.

Dr. Bonds said in terms of the risk for those who live in Virginia, it is likely they would continue to see cases in the U.S., although the measures she would describe would hopefully limit that. She said it did not appear to be spreading in the community. She said there were 2 instances of human-to-human transmission, but that these were spousal contacts. She said it was important to note that the immediate risk was low. She encouraged people to get their flu shots, as there is a much greater risk for flu.

Dr. Bonds said the situation is rapidly evolving, and that she would update the Board as things change, and that it would be reported in the news.

Dr. Bonds said in the U.S., there is a travel advisory, both at the CDC for non-essential travel, and at the State Department level for avoiding all travel to China. She said the U.S. has stopped all incoming traffic from China for foreign nationals. She said if one is a citizen or permanent resident, they can return back to the U.S. She said if they are a family member of a citizen or permanent resident, they will also be allowed in.

Dr. Bonds said if an individual is traveling from Hubei Province, they will undergo a mandatory quarantine of 14 days. She said all flights are now being routed from China to one of 11 airports, which somewhat impacts Virginia, as Dulles Airport is one of those 11. She said potentially, there could be flights landing, but most domestic carriers have stopped commercial flights. She said there are some humanitarian flights arriving that day and the next of individuals who were living in Wuhan or Hubei and trying to get out.

Dr. Bonds said if one has visited China but not Hubei, the CDC is asking to self-isolate, and is working with state and local health departments to do temperature monitoring. She said they don't have the exact guidance of what that will look like yet, but don't expect this to be very many people, as there is limited traffic now between the U.S. and China. She said it is possible that they will have to do some monitoring of individuals in the community.

Ms. Mallek asked if the state department will inform the local health department based on passport information.

Dr. Bonds said they would be informed. She said this is very similar to what happened during the Ebola outbreak. She said they were informed when an individual traveled back to the U.S. from one of the impacted areas in Africa. She said they had contact information, and systems already put into place. She said they would contact the individual, talk to them about what the measures were, temperature monitoring, and would meet with them on a regular basis to make sure they were doing well. She said they have some experience doing this, and that each time, it is somewhat different. She said they are prepared and that this doesn't rely on people to contact the Health Department.

Dr. Bonds said VDH is working closely with clinical providers (UVA, Martha Jefferson, and EMS) to make sure they are prepared. She said they are encouraging screening for travel. She said should they end up with any positive cases in Virginia, they will work very closely to case manage and do contact tracing.

Dr. Bonds said this is a rapidly evolving situation, and that there have been 5 individuals that have undergone testing in the State of Virginia, which were all negative. She said two were in Northern Virginia, and three in Central Virginia. She said it was helpful to know that Albemarle is not part of Central Virginia, but is actually part of Northwest Virginia, in terms of public health. She said Central Virginia is Richmond City and the surrounding area.

Dr. Bonds said she continues to be in contact with the CDC. She said VDH has put up a webpage, which is the best place to get information. She said the best thing people can do is get their flu shots and wash their hands on a regular basis. She said hand sanitizer (as long as it has an acceptable alcohol content) is also an acceptable alternative, but that the physical friction of handwashing was very helpful.

Ms. Mallek noted that the restrictions on mobility in China were so great that people were reluctant to say they are sick, as they are afraid they will be shunned. She said it is difficult to balance this situation.

Ms. Mallek asked how long it took before the travel restrictions were imposed.

Dr. Bonds said the first case (in Washington State) was on January 21, and that the federal government has formed a task force, which released recommendations that were signed by the President about a week later stopping all traffic and instituting the quarantine. She said the federal government is taking care of the quarantine because they are directing all the air traffic to particular air force bases. She said flights from Wuhan were going to specific military bases, where she understood the quarantines would take place.

Ms. Palmer said some universities have student trips overseas to China and overseas, which usually happen in the spring. She said some of those were now getting canceled or rerouted out of an abundance of caution. She said the assumption was that this would go on for a while.

Dr. Bonds said it was very hard to know. She said it is clearly contagious and is spreading through China. She said there is an interesting graphic from John Hopkins that uses circles to illustrate the number of cases. She said the U.S. has a tiny circle that China encompasses. She said they have instituted strict measures, and that the quarantine was the first federally mandated quarantine in a long time. She said the U.S. and other well-resourced countries are taking the matter seriously. She said the risk was higher in a less-resourced country without the public health structure and could continue to spread there.

Ms. LaPisto-Kirtley asked what would happen if one was traveling (e.g. taking a cruise around South America). She said there could be people there from China. She said they could be originating from the U.S. but going to a foreign country to catch the ship. She asked if people should check with the cruise line to see if people are being allowed to come from China.

Dr. Bonds replied that she didn't think the cruise lines would know how they were going to work with this, as it was rapidly evolving at that point. She cautioned about becoming afraid of anyone from China, and that the risk for individuals in the U.S. is low. She said there are many unknowns and that as they learn more information, she would be happy to come back and share or share it with Mr. Richardson. She said if there were drastic changes, she would absolutely be back before the Board to update them.

Ms. Mallek asked about radio programs the health department has with the general public.

Dr. Bonds said the health department released a letter that was picked up by media that walked through much of the information. She said it did not include numbers because they knew they would be out of date by the time they were published. She said the guidance and quarantine were not included in

that because the letter went out before these were decided.

Dr. Bonds said VDH has a website that is updated on a regular basis. She said the VDH or CDC websites are the best places to go for current, up-to-date information about the outbreak.

Ms. Mallek said there are still thousands of people in Albemarle who have no web access, or don't use it due to their age, which is why radio was so great. She urged Dr. Bonds to go the radio route if there is important information that needs to go out.

Dr. Bonds said should there be a change that needs to be known by everyone in the County, they will use every means possible to communicate.

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Agenda Item No. 15. Closed Meeting.

At 4:46 p.m., Ms. LaPisto-Kirtley **moved** that the Board go into Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia:

- Under Subsection (1), to discuss and consider appointments to the Board of Social Services, the Board of Appeals, and the Joint Airport Commission; and
- Under Subsection (3), to discuss the acquisition of property for a County facility, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board; and
- Under Subsection (6), to discuss and consider the investment of public funds in the Scottsville Magisterial District where bargaining is involved and where, if made public initially, the financial interest of the County would be adversely affected.
- Under Subsection (7), to consult with legal counsel and briefings by staff members pertaining to existing and probable litigation regarding decisions of the Board of Zoning Appeals.

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

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

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Agenda Item No. 16. Certify Closed Meeting.

At 6:00 p.m., Ms. LaPisto-Kirtley **moved** that the Board of Supervisors certify by a recorded vote that, to the best of each supervisor's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the closed meeting, were heard, discussed, or considered in the closed meeting.

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

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

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Agenda Item No. 17. Boards and Commissions.

Item No. 17.a. Vacancies and Appointments

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

- **reappoint** Mr. Ross L. Stevens to the Acquisition of Conservation Easement Appraisal Review Committee with said term to expire December 31, 2020.
- **appoint** Ms. Amy Laufer to the Board of Social Services with said term to expire December 31, 2023.
- **appoint** Mr. David J. Gibson, Jr. to the Fire Prevention Board of Appeals and Local Board of Building Code Appeals with said terms to expire November 21, 2023.
- **appoint** Mr. Michael P. Corrigan to the Places 29 (Hydraulic) Community Advisory Committee said term to expire August 5, 2021

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

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

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

Mr. Gallaway informed the public that earlier that day Agenda Item 19. Proposed Lease of Space for Office of Voter Registration and Elections was removed from the agenda and would come back to the Board at another meeting.

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Ms. Annette Osso said she works with an organization called Resilient Virginia. She said they are members of the Cville 100 group, which has been working with the City and County on Climate Action Planning.

Ms. Osso congratulated the Board for endorsing the "We Are Still In" letter that will be going to the Virginia General Assembly to urge them to support Climate Action legislation.

Ms. Osso called the Board's attention to House Bill 672, which is the Climate Change Preparedness Act. She said if passed, it could be quite foundational. She said at the State level, it would require that the State policy and programs take notice of the cause and impact of climate change, and importantly for local and regional governments, they would need to include the impact and cause of climate change in their Comprehensive Plans. She said she knew this was something that was of interest to the Board.

Ms. Osso said Resilient Virginia is a state-wide group with the goal of promoting more resiliency planning amongst local and regional governments. She said she was happy to say that the Thomas Jefferson Planning District Commission will host the group's workshop called, "Getting Started with Resiliency Planning," which will take place in June 2020.

Ms. Osso said the goal for resiliency planning in communities is to provide an integrated process to bring together things that already exist, such as hazard mitigation planning and emergency preparedness, along with all the sustainability initiatives local governments are doing, as well as their climate action plans. She said a final goal is to look into the future and recognize that the climate is changing, which will have an impact on planning and the health of the community.

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Ms. Marcy Springett (Rio District, Dunlora) said she would continue her quest to keep two parcels (999 East Rio Road, and the Wetzel Farm property (Parkway Place)) from being rezoned. She said they wish to keep them in the existing by-right R-4 zoning designation.

Ms. Springett said recently, she was having difficulty finding answers to three simple questions: how many apartment units already exist in Places29; how many apartment units are in the pipeline to be built; and of those apartment units, how many are currently designated as affordable housing. She said she emailed Mr. Andrew Knuppel, who replied that staff did not have this information readily available, but that she may be able to gather some of it from the 2019 Growth Management Report that was put together last year. She said he included a link to the report.

Ms. Springett said Mr. Knuppel also said that he did not have any information about affordable housing.

Ms. Springett said according to the answers she found on page 39 of the report, there are presently 4,638 multifamily units in Places29. She said on page 41, in Appendix B - Pipeline Projects, the report was vague and uses project names instead of types of household units. She said she figures there are approximately 1,228 multifamily units in the pipeline.

Ms. Springett said she did, however, discover some very helpful information. She said in Appendix A - Estimate Tables for All Future Development, under Zoning - Net Density Scenario (Current By-Right), counting all types of housing units, there will be an excess of units to accommodate population growth from a low 11,551 in 2020 to a low of 746 and high of 2,671 in 2040.

Ms. Springett said under the Comprehensive Plan scenario, there will be even more units in excess of need to accommodate population growth, from a low 12,822 in 2020 to a high of 12,880 in 2040.

Ms. Springett said with this in mind, if all units were developed, there will be an enormous number of excess housing units under both by-right zoning (net density), and way too many under the Comprehensive Plan.

Ms. Springett said therefore, there is absolutely no reason to change the zoning of the two parcels from the by-right present zoning of R-4. She said development just for development's sake creates enormous turmoil in the neighborhood. She said with complete lack of safe transportation infrastructure, overburdened schools, disappearing park land, lack of business in the area, there is no need for planned, urban density zoning for those two parcels.

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Ms. Vikki Bravo said she was representing IMPACT, a local group of 25 faith congregations in Albemarle County and Charlottesville. She said she was there that evening because IMPACT supports the new housing policy presented earlier by Dr. Pethia, which was crafted by her and the Stakeholders Committee. She said they support the creation of an affordable housing fund with ongoing stable revenue sources. She said affordable housing funds are a best practice across the nation, and that this fund is an important part of a strategy to create the affordable housing the area needs.

Ms. Bravo said the housing fund is also a flexible tool which can be used to meet the most important needs of the locality. She said IMPACT will continue to speak to the Board on this matter.

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Mr. Sean Tubbs (Piedmont Environmental Council) said Albemarle set a high standard in 1980, when the decision was made to comprehensively rezone the County to protect the Rural Areas. He said that bold action had the consequence of ensuring that this community has some of the darkest skies in the area. He said this fact is celebrated by many in the community, including the tourism industry, who depends on this in many areas as the County is a destination people want to come to.

Mr. Tubbs said stewardship over the years has created an asset that serves everyone, but especially the creatures and plants that people share the planet with. He said they have been fortunate in the community to have people like Dr. Phillip Ianna, Mark Schulyer, and others who have brought attention to the topic over the past several years.

Mr. Tubbs said in 1998, the Board adopted a lighting ordinance after years of background work, and with cooperation from the business community. He said since that time, the technology of lighting has evolved and has become inexpensive and more widespread. He said all over the world, they are seeing more light pollution and losing the dark sky.

Mr. Tubbs said they are also seeing an emerging field of study called ALAN (Artificial Light at Night), which documents how excessive light can harm the lifecycles of insects, birds, and humans. He said there is a heightened awareness of the effects that humans have had on the planet, and that when he hears younger generations ask for action on climate change, he is looking for issues he can work on where they can begin community conversations about their impact on the world. He said light pollution is one of those issues.

Mr. Tubbs said the Comprehensive Plan has already set out certain guidelines for work that they can do in the future. He said specifically, 11-C of the Historic and Scenic Cultural Resources chapter calls for a community-based educational program. He said he knew that the Community Development work program was not before the Board that evening, but that as the Board begins to ponder what their priorities will be for that department over the coming weeks, PEC feels that this is an important task to prioritize, and has been in plans as Dark Skies Phase II for several years.

Mr. Tubbs said one way forward is to convene an advisory group to take a look at the ordinance and to strengthen the policies that are already called for in the Comprehensive Plan. He said he has been spending time doing some basic research on the issues, and that it was eye opening. He said it was clear that through good policies and trying to educate people, they can find a better way forward.

Mr. Tubbs said he knew that the Board had received a lot of information from Dr. Ianna about the issue, and that he had sent a document called, "Preserving Dark Skies in Central Virginia." He said this was a good place to start.

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The Green Grannies of Charlottesville said they represent the City and the County. She said they have been around for over five years, educating community members and politicians about climate issues. She said they do this with their eccentric style of dress and singing songs to energize around issues. She encouraged the Board to look at the lighting ordinance. The group sang their version of "Twinkle, Twinkle, Little Star" to the Board.

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Mr. Andy Eckert (Esmont) said, God says, "For rulers are not a terror to good works, but to evil. Do you want to be unafraid of the authority? Do what is good, and you will have praise from the same." (Romans 13:3). He said by refusing to enact a Second Amendment Sanctuary resolution, the Supervisors of Albemarle County tacitly admit that they will be a terror to good works and will cause those who are good to fear, instead of praising them as they should.

Mr. Eckert asked the Board to repent. He said it wasn't too late for the Board to join 136 other Virginia county, city, and town Boards of Supervisors who are committed to defying the injustices now being framed by statute in Richmond.

Mr. Eckert read from an essay called, "On the Justness of Bearing Arms" that he wrote for the occasion of Second Amendment Lobby Day in January:

Every Virginian, every person in the world, who is not himself a duly convicted capital offender, has the God-given right to shoot rapists, murderers, and kidnappers-in-progress with the firearm of her choice. And it makes zero difference whether the offender is a homeless person, a police officer, or a king. This standard applies to all: we may do no violence to our neighbor. And if we do, even if we're the king, our neighbor has the right to use force sufficient to stop us. Take careful note of the last part of that sentence: I said *force*, not *violence*.

Stop obfuscating in your propaganda, foolish anti-gunners, and allow obvious differences to remain clear. Let *violent* be the label for criminals who forfeit their lives when they begin to commit one or more such offences as I've already mentioned. Accordingly, let

those who would use *force* to cut that violence short are not themselves violent, but just. And these two characters, the violent and the just, are as different as night and day.

Almost if not to a man, it is the *just* you'll find lobbying for their rights in Richmond today. It is the Jew, the Christian, the Muslim, the minority, the foreigner, the disabled, the widow, the orphan, the homeschooler, and the anti-vaxer who are just and right to meet your projection of violence upon them with overwhelming force. These, the present or future objects of your persecution, who confront you peacefully in our state capital today, and who you understandably, nonetheless wickedly, seek to disarm.

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Agenda Item No. 19. Proposed Lease of Space for the Office of Voter Registration and Elections.

*This item was removed from the agenda during Agenda Item No. 4. Adoption of Final Agenda.*

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Agenda Item No. 20. **Public Hearing: ZMA201900011 2231 Seminole Lane.**

PROJECT: ZMA201900011 2231 Seminole Lane

MAGISTERIAL DISTRICT: Rio

TAX MAP/PARCEL(S): 045B1050A01100

LOCATION: 2231 Seminole Lane

PROPOSAL: Proposal to rezone one property to (HC) Highway Commercial

PETITION: Rezone a total of 0.702 acres from the CO Zoning District, which allows office and supporting commercial uses to Highway Commercial (HC) which allows commercial and service uses and residential uses by special use permit.

ZONING: CO Commercial Office – offices, supporting commercial and service; residential by special use permit (15 units/ acre)

OVERLAY DISTRICT(S): AIA – Airport Impact Area Overlay, EC – Entrance Corridor, Managed Steep Slopes Steep Slopes

PROFFERS: Yes

COMPREHENSIVE PLAN: Commercial Mixed Use – commercial, retail, employment uses, with supporting residential (no maximum density), office, or institutional uses; Office/R&D/Flex/Light Industrial – commercial, professional office; research and development, design, testing of prototypes; manufacturing, assembly, packaging; residential is a secondary use (no maximum density) in Neighborhood 2 of the Places29 Comprehensive Plan Area.

The Executive Summary forwarded to the Board states that, at its meeting on December 17, 2019, the Planning Commission voted unanimously 6:0 to recommend approval of ZMA201900011 with the proffer statement revisions outlined in the staff report. The Commission's staff report, action memo, and minutes are attached (Attachments A, B, and C).

At the Planning Commission meeting, staff recommended approval of the proposed Zoning Map Amendment application. The proposal is consistent with the future land use and development recommendations specified in the Places29 Master Plan and the Albemarle County Comprehensive Plan.

No members of the public spoke in favor or against the application during the public hearing with the Planning Commission.

Members of the Commission asked questions regarding why the owner was proposing to restrict some uses on the property as stated in proffer #1. The applicant responded that due to the property's size, it would not be feasible to have those uses on the property for various reasons, including financial considerations and site design requirements contained in the County's Zoning Ordinance.

The Planning Commission voted to recommend approval of the requested rezoning, provided that the proffer statement be revised in accordance with staff's recommendation set forth in the PC staff report related to the architectural design of future buildings. The applicant has provided a revised proffer statement that is consistent with the recommendations of staff and the PC (Attachment D).

Staff recommends that the Board adopt the attached Ordinance to approve ZMA201900011 2231 Seminole Lane (Attachment E).

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Mr. Cameron Langille, Senior Planner with Community Development, presented. He presented an aerial view of the property in question, noting it was located on the east side of Route 29 directly across from Wal-Mart. He said it is also located west of the Carrsbrook subdivision.

Mr. Langille presented a zoomed-in aerial image of the property, as well as the street view. He said it is built out, with a 2.5-story structure on the property as well as a parking lot. He said it has historically been used as an office, and at the back, there is an existing heavily vegetated buffer.

Mr. Langille said the property is currently zoned CO Commercial Office, which allows, by right, a variety of administrative office types as well as accessory uses and facilities. He said the property is located in the Entrance Corridor Overlay District, as well as the Airport Impact Overlay District. He said there is an area of managed steep slopes on the eastern side of the property, at the rear.

Mr. Langille noted on the map that all the other properties near the property along Route 29 are

zoned HC Highway Commercial.

Mr. Langille said the Places29 Comprehensive Plan recommends two different future land use recommendations on the property. He said one of those is Commercial Mixed Use, which is about 0.12 acres. He said the other is the Office - Flex, R&D, Light Industrial classification that makes up the majority of the acreage of the property, which is about 0.582 acres.

Mr. Langille said the Office - Flex, R&D, and Light Industrial classification allows for a variety of uses. He said the staff report contains a bullet point list of what Light Industrial means, what R&D means, and what Flex means. He said the idea is that this classification is meant to be applied to areas where there will be a range of employment-generating uses, as well as non-retail employment areas, in Places 29.

Mr. Langille said the applicant put together a drawing that shows how the property could be developed. He said they were not proffering this exact layout, but that the drawing served more as an informational reference showing where a building could be located, as well as parking. He said in the back is where the managed steep slopes are located.

Mr. Langille said as part of the application, the applicant has provided proffers. He said one of the proffers is that at the rearmost portion of the property where the steep slopes are located, they are not going to do any grading in the area.

Mr. Langille said another proffer says that wherever the future building is located, there will be a sidewalk from the main entrance leading out to a median area along Route 29. He explained they would connect with the existing sidewalk there.

Mr. Langille said another proffer provided is to provide certain architectural details on the future building. He said staff vetted this with the ARB staff, who agreed that the way the proffer is worded is appropriate.

Mr. Langille said finally, the applicant is proffering out some uses that would be allowed in the HC District. He said the reason they are proffering out those certain uses is because of the property size, and with some of the supplemental regulations (such as parking), they wouldn't be able to fit all of those requirements on the property by right.

Mr. Langille presented another image showing the same layout, including how grading would occur if the property were developed this way. He noted again that this was only for reference.

Mr. Langille said the staff recommendation was to approve the Zoning Map Amendment. He said the factors favorable are that the request is consistent with the land use recommendations in Places29 Master Plan; the request is consistent with the majority of the applicable neighborhood model principles; and that the request includes proffers that address staff recommendation related to the interconnected transportation networks, as well as uses that are consistent with the surrounding area.

Mr. Langille said that since the time of the Planning Commission public hearing, there were some suggested revisions from staff. He said the applicant has done that, and the proffer statement before the Board incorporates those revisions. He said there was therefore no longer any factors unfavorable with this request.

Ms. Mallek asked if this was aimed as employment for businesses and would not turn into an apartment building.

Mr. Langille replied this was correct. He said in the HC Zoning District, they would have to make a Special Use Permit request to do any type of residential.

Mr. Maynard Sipe (land use attorney with Boyd & Sipe) said he was representing the landowner, Commercial Rentals, LLC.

Mr. Sipe said as seen on the zoning map, the existing situation was most likely created because at the time of the comprehensive zoning in 1980, this particular parcel was zoned CO while the rest of the area was zoned HC, which was most likely to recognize the existing office building that was in place, and to prevent that office building from being made nonconforming. He said this does not facilitate the Comprehensive Plan, and that they simply ask to make the land HC like the properties surrounding it in order for the owner to make a more appropriate use of the property.

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

Mr. Gallaway **moved** to adopt the Ordinance to approve ZMA201900011 2231 Seminole Lane (Attachment E).

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

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



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**ORDINANCE NO. 20-A(2)**  
**ZMA 2019-00011**

**AN ORDINANCE TO AMEND THE ZONING MAP**  
**FOR TAX PARCEL 045B1-05-0A-01100**

**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 2019-00011 and their attachments, including the proffers last revised on January 3, 2020 and signed on January 13, 2020, 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 § 18-24.1, and for the purposes of public necessity, convenience, general welfare and good zoning practices, the Board hereby approves ZMA 2019-00011 with proffers last revised on January 3, 2020 and signed on January 13, 2020.

Original Proffers      Yes    
Amendment                      

**PROFFER STATEMENT**  
Revised January 3, 2020

ZMA No. 2019-00011

Tax Map and Parcel Number(s): 045B1-05-0A-01100

Owner(s) of Record: Commercial Rentals, LLC

Date of Proffer Signature: January 13, 2020

0.702 acres to be rezoned from "Commercial Office (CO)" to "Highway Commercial (HC)"

Commercial Rentals, LLC, is the owner (the "Owner") of real property described in Albemarle County records as Tax Map and Parcel Number 045B1-05-0A-01100 (the "Property") which is the subject of rezoning application ZMA No. 2019-00011.

Pursuant to Section 33 of the Albemarle County Zoning Ordinance (Chapter 18 of the Albemarle County Code), 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.

- Proffer 1. Uses: The following uses will not be permitted on the Property:
- 1. 24.2.1 (5) Churches, cemeteries;
  - 2. 24.2.1 (6) Clubs, lodges;
  - 3. 24.2.1 (13) Fire and rescue squad stations;
  - 4. 24.2.1 (14) Funeral homes;
  - 5. 24.2.1 (23) Manufactured home and trailer sales and service;
  - 6. 24.2.1 (24) Modular building sales;
  - 7. 24.2.1 (41) and 22.2.1 (b)(3) Religious assembly use, cemeteries;
  - 8. 24.2.1 (41) and 22.2.1 (b)(4) Clubs, lodges;
  - 9. 24.2.1 (41) and 22.2.1 (b)(6) Fire and rescue squad stations;
  - 10. 24.2.1 (41) and 22.2.1 (b)(7) Funeral homes.

Proffer 2. Sidewalk: A pedestrian walkway will be constructed from the building entrance area to the existing public sidewalk along Seminole Trail (Route 29), comprised of a concrete sidewalk with a striped crosswalk provided where the walkway crosses the private asphalt entrance road into the Site.

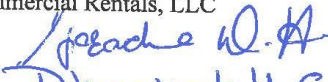
Proffer 3. Architectural Design. Any new buildings constructed on the property must be designed such that the wall facing Route 29 will serve as the primary building façade, or the wall facing Route 29 must incorporate transparent windows and doors at a minimum, and may also incorporate pilasters, recessed or projecting bays, or similar architectural elements and will not be a single, undifferentiated plane.

Proffer 4. Managed Slopes: The managed slopes and existing landscape buffer will not be disturbed within the 20 ft. parking setback from the rear property line and all grading and retaining wall construction will adhere to the requirements in County Code Section 18-30.7.5.

The undersigned certifies that it is the only owner of the Property. These proffers shall run with the Property and shall be binding upon the Owner and Owner’s successors in interest.

**OWNER**

Commercial Rentals, LLC

By:  Date: 1/13/19  
Title: Manager

Agenda Item No. 21. From the Board: Committee Reports and Matters Not Listed on the Agenda.

Mr. Kamptner recalled the Supervisor Randolph, in late December, had prepared letters for Biscuit Run relating to the Board’s resolutions in November and December requesting State funding for Biscuit Run Park. He said there was also a discussion with the local legislative delegation in September, who were very supportive.

Mr. Kamptner said Mr. Randolph had prepared the letters (though never sent them out) requesting that the local delegation support DCR’s request to include \$5 million in the Governor’s budget. He said this didn’t happen, so the letter has been updated, and the revised letter would request the local delegation to support funding in the FY 20-21 State Budget.

Mr. Kamptner said he had sent an email to David Blount to get the final language right. He said he would need to confirm that the window is still open for the proposal to come in. He said the letter provided background information, particularly to those in the delegation who were not involved in the County meetings throughout the years and may not be familiar with the Biscuit Run project, and what would become a County park as opposed to a State park.

Ms. McKeel said it was a matter of changing the date on the letters.

Mr. Kamptner said assuming he would hear from Mr. Blount by the next morning, they would be

available at the clerk's office.

Ms. McKeel said the Board had already voted publicly on this and discussed it. She said it was a shame not to go forward with it and that they should get it done.

Ms. Mallek said if there was a budget amendment number that Mr. Blount could find, this would be helpful. She said she would love to be able to share the letter in Richmond and asked for it to be emailed to her.

Mr. Kamptner asked if there could be a vote on the matter.

Ms. McKeel **moved** that the Board authorize the Chair to sign the letters that were voted on in December 2019 requesting State funding of \$5 million for Biscuit Run, as amended.

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

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

Ms. Mallek said the Cost to Compete Bill was a budget amendment that Senator Deeds put in for the County and Charlottesville. She said she asked Ms. Allshouse and School Division staff to make sure she had the right numbers.

Ms. Mallek read the statement thanking Senator Deeds for proposing the budget amendment for \$8.3 million to fund the addition of Charlottesville-Albemarle to the Cost of Competing program for teachers' salaries. She said this has been discussed in Albemarle for years before Culpepper was granted access to the program, though their cost of living is lower than Albemarle's. She said the addition will help in teacher recruitment, retention, and help them to live in the community they serve. She said it will help the School Board retain its best teachers and help County taxpayers stretch the County's financial resources.

Ms. McKeel said the School Board worked hard on this years ago, when she was on the School Board, but that they did not have a General Assembly representative that was willing to take it forward for them. She said the representative actually worked against it.

Ms. Mallek noted that the representative voted for Culpepper, however.

Ms. McKeel said this was correct. She explained that the School Board, at that time, had the documentation proving that Albemarle was worthy of Cost to Compete.

Ms. Mallek said due to the \$604-per-pupil reduction in State funding since 2008, Albemarle has had to find other sources to replace approximately \$74 million in non-received State revenue over the last 10 years. She said she was planning to forward the statement on, and that they could send it as a Board to the K-12 Subcommittee of Senate Finance, where it would be dealt with the following day.

Ms. LaPisto-Kirtley asked if they could send it from the Board.

Ms. McKeel said this was a great idea, as it would come across stronger.

Mr. Gallaway asked if this would be an email.

Ms. Mallek replied yes. She said she would forward everything to Ms. Borgersen.

Ms. Mallek **moved** that the Board send a support letter for the budget amendment for the Cost to Compete

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

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

Ms. Mallek said she would send this to the Board.

Ms. Mallek asked if it was also possible for the Safety Inspections Resolution to be emailed out in its final format.

Ms. McKeel said this had already been sent.

Ms. Mallek said regarding the withdrawal of the Camp Champion application from ABC, this gives the Board a very small window to make some important changes, if possible, to protect the reservoirs (Beaver Creek, Ragged Mountain, and Totier Creek), as there are many other places where this business could go.

Ms. Mallek said someone made a comment to her today that they understand the owner is

looking for a new location. She said she hoped the Board would consider that, and even if it was something as simple as having a 200-foot setback with no commercial uses. She said this would be straightforward without putting the Board back in the same position. She said if that were the case, they would have met the requirement they didn't meet this time, to have an official County policy to go to.

Ms. McKeel said she would be supportive of protecting the reservoirs. She said if the Board is going to do this, the work plan is jammed, and they are pulling things off the work plan. She said if it can be done, and if the perfect doesn't have to be the enemy of the good, and it would require an easy change, she would support it. She said it didn't seem like this should require many changes.

Ms. Mallek said waiting until more of these items would come forward under the State legislation will not have a good result.

Ms. McKeel said she was not saying anything negative about staff or the work plan, but that she was acknowledging how involved the work plan is.

Ms. Palmer asked for Mr. Kamptner's opinion.

Mr. Kamptner said he would decline to say that there is any text amendment that is simple. He said he knew that Frank Pohl has been working on Chapter 17, which is the Water Protection Ordinance, and that he is coming to the Board for a work session in March. He said there may be time before then to work with him under the WPO, as that is where the stream buffer regulations are included. He said there are some changes that could be considered under the Zoning Ordinance as well.

Ms. Mallek asked if it would be helpful if there was a Notice of Intent to work on this that would then establish the Board with a process so that if some new application came in, they would have to wait. She said for years, there was a rezoning request along 29 North, and that the applicant was told to wait because the County was working on the Comprehensive Plan.

Mr. Kamptner said if a rezoning is needed, the Board is required by State law to act within 12 months unless the applicant is willing to defer. He said when the Comprehensive Plan process was underway, for example, the applicants were willing to hold off. He said when an application comes in, the Board has 12 months to act, or the applicant can go to court to compel the Board to take some kind of action.

Mr. Kamptner said he would speak to Ms. Filardo and Mr. Pohl.

Ms. Mallek said she was all for a small-step solution.

Mr. Kamptner said it is much more helpful to work on these things comprehensively because even the single fixes take a disproportionate amount of time, and staff cannot get to the big items. He said they may be aiming at the little things but aren't able to get to the major things that brings their regulations into the 21st century.

Mr. Kamptner said Ms. Filardo will be coming to the Board on March 4 with Community Development's work plan as well, which will be another opportunity to talk about this and other issues.

Ms. Palmer said another thing that came up during the discussion with Champion Brewery was that 95% of the County is zoned RA Rural Areas. She asked if this might be part of the thought process.

Mr. Kamptner replied it might be part of the comprehensive look at the entire Zoning Ordinance. He said the matter about the barking dogs that came up at the January 19 meeting and other issues demonstrate that there are neighborhoods that have RA zoning, and they are trying to have non-zoning type regulations apply County-wide. He said the difference between Blackwells Hollow and Carrsbrook are huge, and the one-size-fits-all regulations are very difficult to develop and enforce in a practical way.

Mr. Kamptner said much of the Zoning Ordinance is the 1969 Zoning Ordinance repackaged. He said the RA regulations work very well, and that he is 100% on board with the County's Growth Management Policy and Rural Areas policy. He said that from a regulatory standpoint, however, the County needs to take a more nuanced approach to how they deal with it, or at least how they are dealing with all the non-zoning issues where they depend on the zoning classification to define territories.

Ms. McKeel said the people especially in older development areas really need some help with urbanized communities, which is not what they had long ago, and that it has changed.

Ms. Price said the one-size-fits-all is not going to work in every situation. She said protection of water quality is critical for the County, yet at the same time, she is concerned about the potentially significant adverse impacts on the agricultural areas with a one-size-fits-all approach to protecting the streams.

Ms. Price said that week, she spent several hours at a ranch where she was able to see, first-hand, the complexities of coming up with a measured seclusion versus restriction area. She said looking at different topography, flood areas, and the loss of agricultural land that is essential for growing hay for the operation to be able to continue, she is interested in protecting the agricultural economy in the area. She said perhaps she could get some additional information or instruction from staff on this.

Ms. Price said that she wanted to make sure that they were not acting to the betterment of the water quality that would be to the substantial detriment of the agricultural production. She said agricultural production is essential not only to the economy but is part of what makes Albemarle County as attractive as it is, as the County is not just an urban sprawl area.

Ms. Price said she would appreciate the opportunity to sit down with staff and understand how the regulations are prepared, the impact, and hope that they are getting information from the agricultural community that help them to come up with a plan that will protect the water without causing damage to agricultural viability of the County.

Ms. McKeel said what she and Ms. Mallek were referencing was the reservoir.

Ms. Price said she understood that, but that the water goes from the streams to the reservoirs.

Mr. Kamptner said there is another enabling authority that is outside of the WPO and Zoning Ordinance that allows the Board to regulate activities to protect public water supply reservoirs. He said this would be outside of Community Development's purview. He said he would look into this further.

Ms. Mallek said she has a farm, and they have had 100% cost share and variable setoff distances for 5 years. She said there were also much strong water protection rules 20 years ago, and in various adaptations over time, there were changes made to housekeeping items that ended up making much more substantial changes than anyone realized. She said all the long-time farmers were dealing with this long ago.

Ms. Price said that a few years ago, the ranch she went to won the state award for water quality protection, so this was someone who is clearly a steward of the environment.

Ms. Price said on a different matter she wanted to speak to, she would first give some background. She said that in one of her civilian jobs, she was a senior vice president for a healthcare company that was bidding on the military's Tricare contract. She said the government changed the RFPs (request for proposals) three different times, and that what should have been a relatively simple process ended up taking three years. She said for the five companies that bid on it, cumulatively, there were hundreds of millions of dollars in bids. She said one company was awarded the contract, there was an appeal, and another company got it.

Ms. Price said what she came away with from that was a frustration at the lack of interest and understanding on the part of the government of the financial consequences on businesses that are attempting to try and go through some sort of a process, whether it be a contract proposal, zoning, or special use. She said the government was completely oblivious to the impact.

Ms. Price said she was not saying Albemarle County was there, but that the night before, she attended a Planning Commission meeting, and that during one of the projects that came up, the applicant indicated that they had expended about \$100,000 on this particular proposal. She said the main issue she wanted to focus on was that there was a disconnect, as she understood it, between the Comprehensive Plan and the zoning for the particular site. She said she understood that there are about 86 such lots in the County that have this situation.

Ms. Price said she knew this particular application has been going on for at least a year, and what that leads her to is that she believes the County has a responsibility to make things clearer, and to get consistency between the zoning and Comprehensive Plan so that if there is someone who wants to do something with the land, the County is not perpetuating a system where there is an inconsistency which complicates the process and potentially results in an individual following a zoning category that is incompatible with the Comprehensive Plan. She said they could be spending a great deal of time and money needlessly.

Ms. Price said she understood that the incompatibility between the Comprehensive Plan and the zoning has been a situation for a number of years. She said she would like to see the County make this a top priority to clarify this so that they are not putting residents and businesses in this situation. She said if there are 85 such lots and each applicant spent about \$100,000 needlessly, this would be \$8.5 million they are asking their local citizens and businesses to needlessly spend on applications, and that she didn't think this was right.

Ms. Price asked for support from the County staff, recognizing that the whole is substantially greater than the sum of its parts, and all the many other things on their plates, to try to make this compatibility a high priority to avoid this type of situation.

Ms. Palmer said it could be a good idea for Mr. Kamptner to go over the short history of a couple years ago, when the Board brought this up. She said they had gone through quite an extensive process with public engagement.

Mr. Kamptner said regarding the regulations for certain types of commercial uses, if they are not on public water, they are going to consume more than 400 gallons per acre, per day, they have to go through a Special Use Permit process. He said the interpretation back in 2010, which carried for several years, was that this limited the scope of the County's review to just water consumption.

Mr. Kamptner said there were a couple applications (one for a restoring station, and Boyd Tavern

Market) that had come forward, and a decision was made that this was a recurring problem, and the Board decided (with staff's support) to change the zoning regulations, identifying the types of uses that conflicted. He said because those uses were not on public water, the way the public water system is set up, most if not all of those are going to be in the Rural Areas. He said there is an incompatibility there between the Comprehensive Plan and the old zoning that was put in place in 1980.

Mr. Kamptner said the objective for the Zoning Text Amendment was to classify the uses that might conflict with the Rural Areas zoning, and Rural Areas Comprehensive Plan designation, and have the applicants go through the full Special Use Permit process. He said they were not only looking at water consumption, but at a variety of issues that are considered in a Special Use Permit review, including the impact on the neighborhood, the detriment to adjoining properties, and consistency with the Comprehensive Plan in order to have a fuller review.

Mr. Kamptner said when an applicant has zoning and needs a Special Use Permit, this is a discretionary action by the Board of Supervisors. He said if their proposed use is inconsistent with the Comprehensive Plan, that should be a warning sign that they have a hurdle to get over. He said they will know this upfront.

Mr. Kamptner said there were many other factors that come in dealing with what is going on in the neighborhood, and the specific type of use being sought after. He said with the Planning Commission meeting the night before, and with other applications, some of the uses have the potential to generate significant impacts on the neighbors and are inconsistent with the Comprehensive Plan.

Ms. Price said she could see this. She asked if there was a reason why they haven't looked to take those 85 pieces of land and reevaluate their current zoning.

Ms. Mallek said this was about a two-year process, and that the Board decided to do it in chunks and take care of the four uses first.

Mr. Kamptner said part of the matter was a constraint that the County has under State law in that the County is prohibited from doing what are called "piecemeal down zonings," which are zonings that are less than a significant amount of the territory. He said 85 parcels would be a fraction of 1%. He said there is very little case law, and a case out of Virginia Beach where 3% of the territory was deemed to be not comprehensive enough.

Mr. Kamptner said the route taken a couple years before was not a down zoning, but was adjusting the uses that are allowed by right and by Special Use Permit. He said it was a fairly narrow adjustment to the district regulations.

Mr. Kamptner said another way to approach this would be to do a comprehensive rezoning of the Rural Areas, which is about 95% of the County.

Mr. Kamptner said there is a safety valve for doing a piecemeal down zoning, which is if there are changed circumstances. He said the classic situation is where land was zoned for multifamily residential apartment buildings, and so it has R15 zoning with intense development. He said the entire area around it ends up developing and being zoned as low-density residential, over time. He said 20 years later, the decision is made to look at the R15-zoned property. He said because the surrounding area was developed as single-family residential, there were changed circumstances justifying the rezoning of the R15 property down to R1 or some other low-density residential zoning.

Ms. Price asked what degree of confidence Mr. Kamptner had that an individual or business who is considering developing on one of the 85 plots was clear on the hurdles they would have to overcome, based on what they may try to be accomplishing through the development (and particularly, if it was a professional company doing the development as opposed to a private individual).

Mr. Kamptner said if the applicant needs a discretionary approval such as a Special Use Permit, they should be very aware, particularly if they follow County government land use decisions. He said the Board and the Planning Commission have consistently adhered to the Comprehensive Plan as a decision-making tool.

Ms. Mallek asked if someone came to Community Development Department and met with them for five minutes, they would have everything explained then. She said the best way to find information is to come to County staff.

Ms. McKeel said she appreciated Ms. Price's question, as it was a very thoughtful one. She said the Board has talked about this occasionally, and that Mr. Sheffield also brought this concern up when he was on the Board. She said Mr. Kamptner's answer was good.

Ms. Palmer agreed. She said the 85 properties are a special situation that the Board has agonized over and didn't really resolve the problem like they wanted to.

Ms. Mallek said they spent two years looking at the big picture and realized they had to solve it one piece at a time.

Ms. McKeel said it was worth asking again and talking about it, as it is a concern.

Ms. McKeel said she had a talk with Mr. Kamptner based on a couple of bills that came up in the General Assembly that could perhaps be applicable to the County in a tangential way. She said the Supervisors all have pockets in their districts that are showing blight and the neighbors of these areas have concerns. She said one of the bills related to blight.

Ms. McKeel said three years ago, the County established a blight ordinance based on a house in a neighborhood that had vultures living in the attic. She said Mr. Kamptner suggested considering a work session at some point around maintenance, blight, and what the County can and cannot do. She said they could have a discussion to hopefully get to something that would help the residents in those areas.

Mr. Kamptner said the particular bill was an amendment to 15.2-907.1, which allows localities to establish a tax abatement program for derelict properties, and that the tax abatement is available to allow the owner of the property to recover demolition costs. He said the bill that is in the General Assembly enhances this as it allows the locality to penalize the owner of the property if they submit a plan, but don't act on, to either bring the property into compliance or raze the building.

Mr. Kamptner said the reason he recirculated the memorandum he'd prepared last March was that this was one of the statutes he identified as a tool the County has that they are not taking advantage of. He said the idea for a work session was to get the experts there (such as building officials) and start working through the tools that are best for Albemarle County. He said they may not need to implement all of the enabling authority, and there may be a single program that can deal with 90% of the issues in a way without having to look at absolutely everything. He said a work session would allow them to look at this comprehensively.

Ms. McKeel said this was an issue that overlaps both the rural and urban areas. She said it would be a good thing to discuss.

Ms. Palmer said this was a very good idea, and especially good for the new Supervisors. She asked if they could have a packet to be able to read through it beforehand, and perhaps hold a work session during one of the second meetings of the month when there is some extra time in the afternoon.

Ms. Palmer said she periodically tries to review this, and that it was a lot of information to review.

Ms. McKeel said a work session could at least be a starting point.

Ms. Palmer said she had tremendous fears about a maintenance ordinance, as she didn't know what this would do as far as staff workload.

Ms. Mallek said her main question was whether or not the bill amendment was good or bad for the County, or if it would produce no difference.

Mr. Kamptner said it is good for the County, if and when they adopt the program that it relates to.

Ms. McKeel said the Police CAC meeting had taken place the week before, and that the good news is they are fully staffed in the Police Department. She said another thing she found fascinating was that Chief Lance talked about how an old kitchen has been turned into a cyber forensics lab. She said for items that used to take the Police Department months to get back, there is now a 24-hour turnaround.

Ms. McKeel said between 2016 to 2019, the County's DUI arrests went up by 25%. She said more attention is being paid by law enforcement, and there are also more bad habits. She said staff is also seeing a strong increase in mental health calls, which is a time sink for the staff.

Ms. Price said the training for law enforcement responding to mental health calls is critical.

Ms. McKeel agreed, adding that it also takes a long time.

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Agenda Item No. 22. From the County Executive: Report on Matters Not Listed on the Agenda.

Mr. Richardson presented the County Executive's Monthly Report. He said there were copies of the report in the Supervisor's mailbox as well. He said this month, they were spotlighting the Social Services Department, recalling the presentations that were given earlier from ACDSS.

Mr. Richardson presented a picture from a key designated leader meeting that occurred in January, where they invited the managers and supervisors from the County to a half-day off-site at the Rivanna Fire Department. He said there were about 90 managers from local government there for a half-day, and they took the day to talk about the alignment of resources to make sure they are getting the right work done. He said there was a series of presenters that morning, including the County Attorney.

Mr. Richardson said they also had 78 responses from the half-day off-site where the staff sends the managers a series of questions about how they spent their time that day. He said there are anonymous responses, and they get a report back to show how effective the time away and out of the office was, if this was a good use of their time, and if the topics covered were timely ones. He said they take the survey very seriously and that he was proud of the fact that 78 of the participants filled out the entire survey. He said the comments are very important of terms of feedback and helps the County Executive's Office to go to the next quarterly update, make adjustments, and continue to try to improve



the time out of the office with the key managers.

Mr. Richardson said the picture showed the managers sitting at small tables, explaining there is a series of small table exercises where there will be 6-7 people from different departments across the County. He said those people don't necessarily see each other each day at work, yet they are working through issues together. He said the hope was that this would help build relationships so that when these people get back to the office, they are beginning to make connections across departments of people who they will at least get to see quarterly and can help each other on cross-departmental issues.

Mr. Richardson said some of the Board members, as well as Dr. Pethia and others, worked with two 8th grade classes on a project to explore what a sustainable, affordable, and inclusive community would look like. He said about 35 students came to the County Office Building the week before and presented their projects to members of the governing board and Planning Commission members. He said it was a lively dialogue with high energy from the group. He presented a picture of the kids that was taken on the front steps.

Mr. Richardson said this is a good example of community-oriented government where they are connecting and engaging with different areas of the community. He said some of the key leaders from the County participated and that everyone had a good time.

Mr. Richardson said the County continues to celebrate its 275th founding anniversary. He presented a picture from their recent Lunch and Learn series. He said in January, they were able to go to the Lewis and Clark Exploratory Center, where there was information shared about the local connections to the expedition and how the park's landscape is a part of the story. He said about 100 people attended that event. He said this is another example of community-oriented government where they are connecting to the community.

Mr. Richardson said the previous week, they held the annual joint Community Advisory Committee (CAC) meeting at the 5th Street Office. He said all the CACs came together, with 50 community members in attendance as well as 10-12 staff. He said there was a brief presentation by Lori Allshouse on affordability and debt capacity. He said the attendees split up into small table groups, and that some of the Board members were also able to attend. He said the groups were representing different areas of the County and did an exercise to prioritize the top 10 capital projects from the School Division and local government, much as the Board of Supervisors and School Board did over the summer and fall.

Mr. Richardson said the attendees reported that it was very challenging, and was an informative experience, with report-outs from each of the tables. He said the local media covered the event. He said feedback was given by some of the CAC members that they thought this was a difficult and enlightening process. He said they mimicked it much like they did the CIP process between the Boards and that again, this was an example of community-oriented government. He noted that the County can do anything, but they cannot do everything, and the prioritization is difficult because they run out of resources before they run out of opportunities.

Ms. Mallek said it was fascinating that all 10 of the tables prioritized the same thing, which was Transportation Leveraging.

Ms. McKeel said this was just as their board and the School Board had done.

Ms. Palmer said transportation is important, pointing out that CAC members are, for the most part, in urban areas, and they will be very conscious of traffic issues. She said she was not debating that this was important, but that the CACs are more urban groups.

Ms. Mallek said her Rural Areas people also agree that transportation is the highest priority, citing speeding and potholes as major concerns.

Mr. Richardson said Ed Brooks joined the staff in January as the coordinator for the Yancey Community Center. He said Mr. Brooks held his first event with the support of about a dozen community volunteers to put on a family skate night. He said there were approximately 200 people who attended last Friday night to bring life back into the building, and that the energy level there was very high. He said this was another example of community-oriented government.

Ms. McKeel said she was thrilled that Mr. Brooks was the coordinator there.

Mr. Richardson said Mr. Trevor Henry (Assistant County Executive) met that month with students from Murray High School to share his story as a veteran in the community that continues with his public service life as well as his civilian life.

Mr. Richardson said Mr. Henry also presented with Wade Woolfrey (with the Rivanna Station) about the expansion of the base that will occur that summer, and how the County is working differently to support the work of the Rivanna Station connected through the Defense Affairs Committee at the Chamber. He said this is a recently funded coordinator position with DAC. He said there is also an affinity group that was created and supported out of the County, and that this was a great example of community-oriented government that makes the community better.

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Agenda Item No. 23. Adjourn.

At 7:30 p.m. Mr. Gallaway adjourned the Board meeting to February 19, 2020, 12:00 p.m., Room 241, Second Floor, County Office Building, McIntire Road, Charlottesville, Virginia.

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Chair

Approved by Board
Date 11/04/2020
Initials TOM