

A regular meeting of the Board of Supervisors of Albemarle County, Virginia, was held on July 1, 2020 at 1:00 p.m. This meeting was held by electronic communication means using Zoom and a telephonic connection due to the COVID-19 state of emergency.

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 Chair, Mr. Gallaway, called the meeting to order at 1:00 p.m. He said the meeting was being held pursuant to and in compliance with Ordinance No. 20-A(8), "An Ordinance to Ensure the Continuity of Government During the COVID-19 Disaster."

Mr. Gallaway said the persons responsible for receiving public comment are the Board of Supervisors of Albemarle County.

Mr. Gallaway said the opportunities for the public to access and participate in the electronic meeting are posted on the Albemarle County website, on the Board of Supervisors homepage, and on the Albemarle County calendar.

Mr. Gallaway announced the supervisors and officers present at the meeting and instructed all other staff to introduce themselves later in the meeting when they spoke

---

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

---

Agenda Item No. 4. Adoption of Final Agenda.

Mr. Gallaway said there would be a couple changes made. He noted he received a message that the meeting's outgoing feed had frozen and asked if he should pause.

Mr. Morris asked to pause the meeting. He said he did not see the meeting broadcasting.

Mr. Gallaway said they would take a brief pause, as there was an outgoing feed issue.

(There was a long pause until 1:07 p.m.)

Mr. Gallaway said there had been two outgoing ways to participate, and one was live and working while the other was not. He said they had paused to get this in order.

Mr. Gallaway said they were about to adopt the final agenda, and there were a couple of changes they needed to make. He said Item 8.2, "FY 20 Appropriations" needed to be pulled, and that they would take action to defer. He said the Board would address this after approval of the consent agenda.

Mr. Gallaway said they will add an update by Dr. Denise Bonds on COVID-19, which will be after Item 13, before closed meeting.

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

---

Agenda Item No. 5. Brief Announcements by Board Members

Ms. Mallek said that morning, there was COVID-19 testing at the White Hall Community Building in White Hall. She said Monday morning was the beginning of the time to make appointments. She said all the appointments were gone before 9:00 a.m. on Monday. She asked the Board that when they have testing events scheduled in their districts, to alert people not to be shy about signing up because the slots will not linger for long. She said they had 72 slots and a long list of people on the waiting list in case there were no-shows. She said this shows a lot of interest in finding out information, and a lot of support and concern on the part of citizens.

Ms. Mallek said the MPO will be discussing and considering improvements to the process of developing Smart Scale programs, going forward, so the Board would be hearing more about that at the August meeting. She said Mr. Chip Boyles has proposed very good ideas to have this be done within house, going forward, and that she looked forward to sharing more details as they come forward.

Ms. Palmer said there was an Esmont JABA senior parade where the Police Department lined up cars with flashing lights and drove by the seniors' houses in Esmont that participate in JABA. She said it was a nice thing they did and was very much appreciated by the community.

Mr. Gallaway said he had seen a video of this on social media.

---

Agenda Item No. 6. Proclamations and Recognitions.

There were none.

---

Agenda Item No. 7. From the Public: Matters Not Listed for Public Hearing on the Agenda or on Matters Previously Considered by the Board or Matters that are Pending Before the Board

Mr. Frank Dukes (Rio District) said he has lived in the area since 1973. He said he understood the Board will be having a public hearing on August 6, so he would reserve his time for that primarily. He said his comments are directed to the removal of the Johnny Reb statue, and that his hope was that the Board will make a strong statement about why they would be removing the statue, and why it does not accord with their values and aspirations for justice as represented in the courthouse. He said he appreciated the Board taking this step and looked forward to seeing this done.

Ms. Kelly Gaston (White Hall District) said she lives in Earlysville and is very grateful to have Ms. Mallek as her representative. She said she wanted to go on record as saying that it feels like a terrible miscarriage of justice could happen in a building that is protected by a Johnny Reb sculpture when, for some who go into that court, it is a representation of all the bad of the last 400 years. She said they are at a time in history now where there is a chance to make a real change.

Ms. Gaston said she attended the Highland discussion on Monday evening, and thinks they made some great points about how the story can be told. She said they have had to listen to the story told by white men representing the Confederacy for an awfully long time, over 100 years. She said it is time for a completely different story to be told. She said other voices need to be heard. She said it is time for there to perhaps be a teeny plaque about the Confederacy, then statues that are appropriately sized for what happened in Court Square.

(As there were further technical difficulties, Mr. Gallaway asked for the meeting to pause to get the double feed issue resolved.)

At 1:29 p.m., Mr. Morris proposed shutting the meeting down, then bringing it back up, with the attendees logging out and back in.

At 1:41 p.m., the meeting resumed. However, as further technical difficulties ensued, Ms. Borgersen said she believed they needed to skip over public comment in the interest of time and possibly come back to it at a future point in the meeting.

Mr. Gallaway informed Ms. Dukes, who was signed up to speak, that they were able to get two people in to speak that day and will welcome her sending her remarks via email to make sure they are part of the record. He said hopefully, they would have public comment sorted out by 6:00 p.m. that evening, during which she could also enter her comments. He explained that the issue on the statues would be back as a separate public hearing at a future time, and there would be ample opportunity to speak to it.

Mr. Gallaway apologized that technical difficulties were preventing public comment at that point, and at 6:00 p.m. could be a second attempt. He encouraged the public to email their comments to be part of the record.

---

Agenda Item No. 8. Consent Agenda.

Mr. Gallaway reminded the Board that Item 8.2 had been pulled.

Ms. McKeel said she called the clerks on the February 25 minutes in which she asked to have the spelling of "Greer" corrected throughout those minutes. She asked if those minutes could be approved as amended.

Ms. Mallek remarked that she assumed corrections to the minutes were always part of the motion.

Ms. McKeel **moved** to approve the consent agenda as amended. 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

---

Item No. 8.1. Approval of Minutes: January 8, January 15, February 19, February 25, and March 4, 2020.

**Ms. LaPisto-Kirtley had read the minutes of January 8, 2020 and found them to be in order.**

**Ms. Price had read the minutes of January 15, 2020 and found them to be in order.**

**Ms. Palmer had read the minutes of February 19, 2020 and found them to be in order.**

**Ms. McKeel had read the minutes of February 25, 2020 and found them to be in order, except for correction of the spelling of “Greer” throughout those minutes.**

**Ms. Mallek had read the minutes of March 4, 2020 and found them to be in order.**

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

---

Item No. 8.2. FY 2020 Appropriation

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 \$14,900.94. A budget amendment public hearing is not required because the amount of the cumulative appropriations does not exceed one percent of the currently adopted budget.

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

\* \* \* \* \*

Ms. Mallek **moved** to defer Item 8.2, FY 2020 Appropriations, until more information is gathered. 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. 8.3. Charlottesville-UVA-Albemarle County Emergency Communications Center's (ECC) Request to Retain Additional ECC Fund Balance Monies.

The Executive Summary forwarded to the Board states that a 1984 agreement between the County of Albemarle, City of Charlottesville, and University of Virginia (Participants) developed the joint ECC. The ECC operates and maintains the 9-1-1 system for communities within the City of Charlottesville, County of Albemarle, and the University of Virginia.

A 2013 addendum (Attachment A) to the 1984 agreement focused on operational, capital, and 800 MHz funding support. The addendum also stipulates that the ECC may retain a year-end fund balance not to exceed twenty-five percent (25%) of ECC's total annual operating budget and requires the ECC Management Board to return to each Participant its share of any carryover funds in excess of those amounts necessary to fund ECC's reserve fund. The return of such funds to each Participant is to be prorated using the allocation formula calculated pursuant for such fiscal year. In lieu of returning such funds, the Management Board may formally request alternative uses for such carryover funds, subject to the approval of the Participants.

On behalf of the ECC Management Board, the ECC's Executive Director Sonny Saxton has written a letter to the Board of Supervisors dated June 22, 2020 (Attachment B) to formally request that ECC retain the fund balance (Attachment C) exceeding 25% of the ECC's total operating budget. The letter includes details regarding the ECC's FY 19 Audited Fund balance, current and proposed uses of fund balance, and the Executive Director's recommended use of the fund balance exceeding 25% of the ECC's total operating budget.

Albemarle's percentage of this request per the allocation formula the for the fiscal year is \$848,134, or 52.2548% of \$1,623,074. The funds are requested to be retained by the ECC for purposes specified in the table included below.

Recommended Use of Fund Balance Exceeding 25% of ECC Total Operating Budget		
Participant Approval to Retain Funds per Addendum #2		\$ 1,623,074
FY 21 Capital Outlay Requests		\$ (578,868)
Operating Contingency (2.8% of FY 21 Operating Budget)		\$ (184,255)
COVID-19 Community Response and (or) Critical Infrastructure (e.g. EOC, Building, Public Safety Software, Communications)		\$ (859,951)
Projected Remaining Fund Balance		\$ 0

The FY 21 Capital Outlay Requests identified in the chart above include:

**9-1-1 Telephone Infrastructure Refresh** - Multi-year phased project to replace and upgrade the infrastructure and geo-diverse call-handling equipment, including servers, operating systems, networking equipment, and telephony gateways at the primary and backup ECC facilities. This project will run concurrent with the Commonwealth’s statewide transition to a Next Generation 9-1-1 (NG9-1-1) Emergency Services IP Network (ESINet); (Budget \$500,000, with planned reimbursement of \$150,000 from VA ISP after project completion.);

**ECC Fleet Vehicle** - Vehicle purchase as part of the ECC’s ongoing fleet management cycle, the existing vehicle is over eleven years old and often used on rough mountainous terrain with signs of wear showing. Purchase will add a SUV-style vehicle with full off-road capability to service remote communication towers as well as light business travel. (Budget \$40,000.);

**Quality Assurance Screen Recording** - Enhancement of quality assurance and compliance review through expansion of archiver/recorder system to allow for computer screen recording within the 9-1-1 center. (Budget \$39,000.)

Additional funding is requested to support ECC’s COVID-19 Response and/or critical infrastructure needs. The Emergency Communication Center (ECC) has been engaged in the pandemic response on multiple fronts. Following local, state, and federal disaster declarations in March, the ECC activated the Emergency Operations Center (EOC) on behalf of the communities served, as outlined in the Regional Emergency Operations Plan. The EOC is supported by direct funding from the ECC as well as in-kind contributions, donations, and volunteers.

The \$1,623,074 is available in the ECC’s fund balance. Albemarle County’s percentage is 52.2548%, or \$848,134.

Staff recommends the Board of Supervisors consider the ECC’s request to retain their fund balance that exceeds 25% of the ECC’s total operating budget.

**By the above-recorded vote, the Board approved the ECC’s request to retain their fund balance that exceeds 25% of the ECC’s total operating budget.**

Item No. 8.4. Proposed 2020-2021 Holiday Schedule to Include the Juneteenth Holiday for Local Government Employees.

The Executive Summary forwarded to the Board states that on Tuesday, June 16, 2020, Governor Northam created a paid holiday in observance of Juneteenth for state employees effective immediately. In alignment with the Governor’s action, the Board of Supervisors also approved this paid holiday for all County employees at their meeting on Wednesday, June 17, 2020.

Currently, all local government employees are granted 12.5 holidays, except those employees following the State’s Holiday schedule and those who follow the School Division’s Holiday schedule. The schedule has been modified to maintain 12.5 holidays for FY 21 by observing Juneteenth in place of President’s Day.

Juneteenth is the oldest celebration of the end of slavery in the United States. June 19,1865 is the day that enslaved people in Galveston, TX, finally heard that the Civil War had ended and that the Emancipation Proclamation had made them free with its passage, two years earlier. Juneteenth is a day for reflection on the evils of slavery and on the contributions that African Americans have made to this country, and a celebration of freedom.

No impact to the budget is anticipated.

Staff recommends that the Board adopt the FY 2020-2021 Holiday Schedule.

**By the above-recorded vote, the Board adopted the FY 2020-2021 Holiday Schedule:**

# HOLIDAY SCHEDULE

## 2020-2021

Local Government Employees	
Friday, July 3, 2020	Independence Day (observed)
Monday, September 7, 2020	Labor Day
Wednesday, November 11, 2020	Veterans Day
Wed., Nov. 25, 2020–Close at Noon	Thanksgiving
Thurs. & Fri., Nov. 26-27, 2020	Thanksgiving
Thurs. & Fri., Dec. 24-25, 2020	Winter Holiday
Friday, January 1, 2021	New Year’s Holiday
<i>Wed. July 1, 2020 – Wed. June 30, 2021</i>	<i><b>*Floating Holiday: must be taken by June 30<sup>th</sup>*</b></i>
Monday, January 18, 2021	Martin Luther King Jr. Day
Monday, May 31, 2021	Memorial Day
Friday, June 18, 2021	Juneteenth Day (observed)

Item No. 8.5. Board-to-Board, June 2020, a Monthly Report from the Albemarle County School Board to the Albemarle County Board of Supervisors, **was received for information.**

Agenda Item No. 9. **Action Item** – Albemarle County’s May 2020 Allocation of Federal CARES Coronavirus Relief Funds (CRF).

The Executive Summary forwarded to the Board states that the Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 provides funding for a number of different programs to address the COVID-19 pandemic. One of the CARES Act programs is the Coronavirus Relief Fund (CRF) which directly provides assistance to state, local, territorial, and tribal governments for impacts of the COVID-19 pandemic.

Virginia received approximately \$3.1 billion in Federal CARES CRF funding. Fifty-five percent of its allocation was based on the total state population and the remaining 45 percent was based on the local populations of each state’s cities and counties.

On May 12, 2020, Aubrey. Layne, Jr, notified the County of Albemarle that the Commonwealth of Virginia has provided an allocation of \$9,538,621 in CRF funding to Albemarle County which is based on the proportion that the County’s population represents of the statewide total population. (Attachment A). The County received its allocation of CARES CRF funding on June 1.

Funding has been provided to counties based on population. This includes the populations of the towns within its borders. Consequently, Albemarle County will provide an equitable share of its CRF funds with the town of Scottsville. This funding must be expended in accordance with the same Federal compliance requirements as the County.

This funding is required to be used for qualifying expenses that:

- 1) are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
- 2) were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act); and
- 3) were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

Guidance from the U.S. Treasury states that expenditures must be used for actions taken to respond to the public health emergency that may include expenditures incurred to allow the locality to respond directly to the emergency, such as by addressing medical or public health needs, as well as expenditures incurred to respond to second-order effects of the emergency, such as providing economic support to those suffering from employment or business interruptions due to COVID-19-related business

closures. Funds may not be used to fill shortfalls in government revenues.

The Federal Statute specifies that expenditures using Fund payments must be “necessary.” CARES CRF funding is to be considered “one-time” and should not be used for ongoing services. The County is required to maintain all necessary documentation to ensure compliance with the federal requirements and

would be responsible to return funds to the Federal government if it were determined that the funds were spent on purposes that do not qualify. Additional U.S. Treasury guidance is provided in Attachment A, Appendix B.

The community’s needs are great, and the CARES CFR funding must be expended during the March 1, 2020 to December 30, 2020 time period.

County staff have been documenting COVID-19 expenditures to date, participating in state-wide meetings to gain a more complete understanding of the regulations and working internally and with others and designing recommended implementation plan.

On July 1, 2020, County staff will present a recommended CARES CRF Implementation Plan for the Board’s review and approval. Staff’s recommended CARES CRF implementation plan will be designed to ensure that the County’s allocation of the Federal CARES CRF funding is expended in compliance with Federal requirements, shared with the Town of Scottsville, and utilized for high priority COVID-19-related expenses within the specific timeline. The Plan will include recommended categories of expenditures and departmental roles and responsibilities.

On July 15, 2020 County staff plans to bring forth additional details to implement two community-focused components of the plan for Board’s approval and funding appropriation.

The CARES CRF program provided the County with \$9,538,621 to address direct impacts of the COVID-19 pandemic.

Staff recommends the Board discuss and approve an Implementation Plan for the County’s June 1 allocation of CARES CRF funding.

---

Mr. Richardson asked Ms. Allshouse to lead the discussion and overview.

Ms. Lori Allshouse (Director, Office of Management and Budget) presented. She said staff was requesting the Board of Supervisors approve an implementation plan for \$9.5 million in federal CARES CRF funding.

Ms. Allshouse said the CARES Act of 2020 provides a number of different programs to address the COVID-19 pandemic. She said there is one program called the CARES CRF program, which provides assistance to state, local, territorial, and tribal governments to deal with things that are impacting these categories due to the pandemic.

Ms. Allshouse said Virginia received \$3.1 billion in CARES funding and has shared this allocation with local jurisdictions, based on population.

Ms. Allshouse said the County’s allocation is \$9.5 million, which must be expended by December 30, 2020. She said staff has just found out that there is new guidance out from the U.S. Treasury (that just came out the day prior) that is giving them some more flexibility on this deadline. She said staff is working closely with the County Attorney’s Office and others to make sure they totally understand what the guidance says. She said with regard to this program, continual guidance is coming out from the federal government on the expenditures, and so staff is paying very careful attention to what they can and cannot do with it, and especially around the deadline.

Ms. Allshouse said when staff got the information about receiving the allocation, there was some guidance in the letter. She said one was that they are to share with the Town of Scottsville, which is based on population. She said the money is also supposed to be used for qualifying expenditures. She presented the timeline, noting the expenditures are those incurred during the period of March 1 to December 30, 2020. She said all the expenditures are to be incurred due to the COVID-19 pandemic.

Ms. Allshouse said there is a clause in the letter about the budget stating that they are not to be accounted for in the budget that has been most recently approved on March 27, 2020. She said staff’s understanding of that is that is their FY 20 budget, and they do not have COVID-19 pandemic items specifically identified in the 2020 budget, so staff feels they are in compliance with the guidance.

Ms. Allshouse said the other important guidance is that the money is not to be used for ongoing services or any base operations. She said this is basically funding for one-time expenditures.

Ms. Allshouse said when the County received the funding, a group of staff worked together to identify what the goals are for the CARES funding for Albemarle County. She said the first goal is to make sure they spend it by the deadline and meet the important compliance requirement. She said the other item they thought about was to make sure they spend it on the highest priority items. She said on the left side of the slide presented, the blue banner showed that there are already response and reconstitution goals around the COVID-19 pandemic. She said the goal is to spend the funding on the

top priority goals.

Ms. Allshouse said the other important goal is that they want to manage the funds correctly. She said these are federal funds that come with federal guidelines, and staff wants to make sure they all stay within those guidelines.

Ms. Allshouse said when staff put together the plan she would present momentarily, their approach was based on numerous items. She said first of all, they want to make sure they are compliance oriented. She said they did not want to spend the funds, then realize that they may have not spent them exactly like the federal government has instructed them to, where they then may not be able to utilize them. She said there has to be a very systematic approach.

Ms. Allshouse said the deadline is still December 30, and staff is studying to see if there is any more flexibility on it. She said to spend funding in that timeline, they have to be very systematic in the approach.

Ms. Allshouse said they also need to be nimble, meaning that if they need to change course (just like with the "3-6-6" approach they are taking with the regular budget) or direction to ensure they are doing things correctly and in the timeline, they will be making those choices and changes.

Ms. Allshouse said they need to be timely with the funding and stay very focused with it. She said they also need to be mindful that they do have staff capacity limits, so they have to be thoughtful in how to direct those funds and do it in a way where the ability in the organization is there to manage it.

Ms. Allshouse presented a slide showing the implementation plan that staff would ask the Board to approve that day. She said it is a chart with several columns. She said the categories were on the left, where staff has taken the funds and divided them into a few categories for expenditure. She said in the middle, there were expenditure examples. She said this was not all that they would be doing, but it provides examples of some of the eligible expenses that the funds can be used for.

Ms. Allshouse said in the columns to the right, staff identified some of the funding that can be spent from March to June (FY 20). She said some of this can be reimbursed for expenditures that they have already incurred. She said the next column is expenditures they are estimating for July to December, with the total on the end.

Ms. Allshouse said going back to the categories, the first category is General Government Services and Obligations. She said the first thing on this list is funding for the Town of Scottsville. She said the County will provide funding to Scottsville for eligible expenditures of the amount of \$50,000, based on their population as a proportion of Albemarle County's.

Ms. Allshouse said also, any other COVID-19-related expenditures that satisfy criteria, such as staff redeployment to work on COVID-19 items, supplies, and support to regional entities such as public health precautions that are being taken at the regional jail.

Ms. Allshouse said it can also be used to match FEMA funding, and that staff would coordinate this very carefully with the FEMA funding as well. She said the dollar amounts at the top of the chart totals \$3.5 million for this category.

Ms. Allshouse said the next category is entitled "Technology," which is where eligible technology and community school-related broadband expenditures. She said the guidance is not as clear in this category, but staff has been doing a lot of research on it and believe there are places that they can use the COVID-19 funding in this category. She said there could be some reimbursements. She indicated to estimates for July to December in the total of \$1 million.

Ms. Allshouse said the next category is Human Services and Community, which is \$2.5 million in total. She indicated to the different categories for the timelines. She said this is very important funding they can get out into the community. She said eligible items are things like supporting vulnerable populations, helping homeless and homeless prevention support, emergency financial assistance, food delivery, medical-related prevention supplies, and other eligible expenditures.

Ms. Allshouse said the next column is Economic Development. She said this funding can also support businesses. She said staff's vision for this is to provide small business grants or loans to reimburse for cost of business interruptions or any other eligible business-related support. She said the Human Services category and Economic Development category is more than half of the funding, at \$5 million. She indicated at the bottom of the chart to the \$9.5 million in total. She said some of it is reimbursing things they have done to date, and some of it is placed in the FY 21 timeframe for future expenditures.

Ms. Allshouse said it was important to note that this is plan and is not a budget. She said funding can move from category to category, and from column to column, based on actual expenditures and projects that the County is doing. She said staff will monitor this over time and adjust as required. She said again that they need to be very nimble with this funding and very systematic as they move it out.

Ms. Mallek asked if there would be more details to come back to the Board later about these categories, such as if there are small business loans beyond the microloan program that they did have. She asked if this was planned for later.

Ms. Allshouse replied yes. She said staff will be bringing more information to the Board in just a couple of weeks, because of the timing of this, about two of the categories: the Human Service and Community and the Economic Development categories. She said staff will be in front of the Board with much more details on July 15.

Ms. LaPisto-Kirtley said she was very interested in the technology, as she has been dealing with some communities in her area where they and their children do not have broadband internet access. She said she was very much interested in seeing if they can partner with Xfinity or with Century Link to get services out perhaps sooner than later.

Ms. Allshouse said that the IT Director, Mr. Mike Culp, has been very intensely working on this and studying what other jurisdictions are doing, as well as what the eligibility criteria are around this funding. She said she knows they are very eager to get this funding into the community as soon as possible.

Ms. LaPisto-Kirtley said she knew they were dealing with other issues, but it would not be until late 2021 or early 2022, and if another pandemic hits where they have to go virtual for another year, it is a year and a half where children are not learning.

Ms. Allshouse said it is very important.

Mr. Mike Culp said they were very anxious to see if there was a way to use Coronavirus Relief Funds as a means to accelerate their broadband expansion. He said with the passage of this plan or approval to move forward, they will start those conversations.

Ms. Allshouse said she wanted to share that there are other CARES programs that the Board will hear about in the community. She said there is a very specific one called the CRF fund. She said when staff talks about this, they will be very specific with that category and using those initials. She said she wanted to mention that there are other CARES funding coming through different programs, in different ways, into the community, into the region, and into various departments in the County.

Ms. Allshouse shared a slide that demonstrated that staff is aware of at least \$9.1 million in other programs that are coming into the community in various ways. She said there are also more competitive grant or application projects they may explore in addition to these funding streams.

Ms. Allshouse presented a quick snapshot of what was ahead. She said as mentioned earlier, they would be bringing back some additional information on July 15. She said they would likely do this on a regular basis as they line up appropriations and move this fund into the different categories for expenditure. She said staff will build this into the regular appropriation process that the Board is involved in on a monthly basis.

Ms. Allshouse said staff will also give the Board updates very regularly on how this is moving forward, what the expenditures are, the progress, and results. She said staff will monitor the expenditures on an ongoing basis, as compliance is very important, and staff will pay very close attention to that. She said the goal is to expend all the CARES CRF funding by the timeline shown.

Ms. Allshouse said staff is requesting the Board approve the implementation plan so they can move forward.

Ms. LaPisto-Kirtley **moved** that the Board approve an Implementation Plan for the County's June 1 allocation of CARES CRF funding. 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.

---

Agenda Item No. 10. **Action Item** – Civil War Monuments and Memorials.

The Executive Summary forwarded to the Board states that, until July 1, 2020, Virginia Code § 15.2-1812 made it unlawful for localities to “disturb or interfere with” any war monuments or memorials. “Disturb or interfere with” included removing, damaging, or defacing the monuments or memorials.

Senate Bill 183 and House Bill 1537 (2020) amend Section 15.2-1812, effective July 1, 2020, to authorize a locality to remove, relocate, contextualize, or cover war monuments and memorials from its public property, provided that the locality complies with the procedures required by the new law.

Virginia Code § 15.2-1812(B) establishes a four-step process before the County may remove, relocate, contextualize, or cover a war monument or memorial: (1) the Board publishes notice of its intention in the newspaper at least 30 days before it holds a public hearing on the matter; (2) the Board holds the public hearing; (3) the Board votes whether to remove, relocate, contextualize, or cover any monument or memorial; and (4) if it votes to do so, the Board must first, for a period of 30 days, offer the monument or memorial for relocation and placement to any museum, historical society, government, or military battlefield.



The Board has received many public comments regarding the Civil War monuments and memorials on the County courthouse grounds.

There is no expected budget impact to hold the recommended public hearing. Staff will provide information regarding budget impacts resulting from removing or relocating any Civil War monuments or memorials in the executive summary for the public hearing.

Staff recommends that the Board schedule a public hearing and authorize notice of the public hearing to be advertised in a newspaper of general circulation.

---

Mr. Greg Kamptner, County Attorney, presented. He said this is an introduction to the new enabling authority that became effective that day. He said the Board is very familiar with the section of the Virginia Code, which has been part of the local discussion for the past 3-4 years. He said that day, the amendments to the section become effective, which authorize localities to remove, relocate, contextualize, or cover war memorials and monuments. He said there are some procedural requirements that must be followed.

Mr. Kamptner said the monuments and memorials that have been the subject of the most discussion are those located at the County Courthouse Grounds, which include the "At the Ready" statue, cannons, and stacked cannonballs.

Mr. Kamptner said the new authority provides a four-step procedure, and the matter for discussion for the Board that day is whether or not to direct the public hearing to be advertised. He said the new section requires that that notice be published 30 days prior to the public hearing on the matter. He said if the Board chooses to hold the public hearing, then based on that 30-day period and the time it takes for The Daily Progress to run the ad, August 6 is the anticipated earliest date for that public hearing.

Mr. Kamptner said he wanted to alert the Board that there is an alternative first step in the procedure that the enabling authority provides, and that is for the Board to conduct an advisory referendum. He said based upon the requirements for holding a referendum, it is treated as a special election, and they would ask the court to order the special election.

Mr. Kamptner said the state requirements for conducting a special election include that it has to be 81 days after the election is ordered, but cannot be held more than 55 days prior to a special election, unless it happens to be held on the same date as a general election. He said based upon his math, it appears that the November 3 General Election would be the earliest date that this could be held.

Mr. Kamptner reminded that this is just an advisory referendum. He said after that, if the Board decides to proceed, the four steps that were shown on the previous slide would begin.

Mr. Kamptner said he wanted to share with the Board that there is that alternative procedure, and presented the four primary steps in the process, noting these were the steps whether or not the referendum is conducted.

Mr. Kamptner presented the recommended motion, should the Board decide to proceed with advertising a public hearing. He said the language has been modified slightly from the recommendation in the Executive Summary.

Ms. LaPisto-Kirtley said she would like to know what the cost would be for a referendum. She said she was not looking to identify or have additional costs associated with this. She said she was not sure if now was the time to make any remarks, or after.

Mr. Gallaway said this was the first time this item has officially been on the agenda, so he would imagine they will move to a motion after he goes through the order. He said Ms. LaPisto-Kirtley could make additional comments.

Ms. LaPisto-Kirtley said she would like to know the associated costs of a referendum.

Mr. Kamptner replied that he did not have a dollar amount. He said he would have to get a quote from a printer. He said he went back and looked at the discussion that was ongoing when the 2016 referendum was held, and the word back from the printer was that there is some cost, which was characterized as being nominal, to add the ballot question when it is held in conjunction with the General Election.

Ms. LaPisto-Kirtley said that, on a personal level, she thinks this is something that is long overdue. She said she didn't think that a war memorial or statue such as this should be in front of a courthouse. She said a courthouse represents justice for all, and she did not want anyone to feel intimidated.

Ms. LaPisto-Kirtley said she did not want to memorialize or celebrate anyone or anybody who was in favor of dissolving the Union. She said the war was to dissolve the Union and maintain enslaved people. She said she did not fault the individual soldiers, as they did what they were told to do. She said she does, however, fault the leadership at that time for wanting to dissolve the Union. She said it was all about greed and power because the economic engine of the South was the enslaved.

Ms. LaPisto-Kirtley said the discussion was long overdue, and she was looking forward to having the public hearing next month.

Ms. Price said she had no questions. She thanked Mr. Kamptner, adding that she would make her comments. She said there is a major issue that is confronting the nation. She thanked the residents of Albemarle County for the manner in which they have proceeded in their communications with members of the Board. She said this is an issue that engages the passions on all sides of the issue.

Ms. Price said there are those who will say it's the way it's always been, and it is part of history. She said this did not necessarily mean that it is right. She said today, they are initiating a conversation. She said the conversation is about what they are to do regarding the "At the Ready" statue, two cannons, and the stacked cannonballs on the grounds of the Albemarle County Courthouse. She said at a later time, a decision can be made on what action can be taken. She said today, however, the Board merely begins the conversation that relates to an issue that is tearing the country apart.

Ms. Price said 157 years ago today, in an around the tiny hamlet of Gettysburg, Pennsylvania, the fate of the nation hung in the balance. She said the Union Army of the Potomac and the Confederate Army of Northern Virginia met. She said as is often the case in momentous events, even the outcome of the battle itself was far from certain. She said if not the valor of Colonel Joshua Lawrence Chamberlain in leading his men, who were out of ammunition, in a desperate bayonet charge into the advancing Confederate forces and blunting their encircling movement, the Union may have lost that battle, which would have then opened up the heart of the nation to the Confederate forces who may have been forced a settlement dissolving the Union.

Ms. Price said just as Gettysburg was the decisive battle of the Civil War, leading to the ultimate Union victory two years later, as Bloody Sunday in Selma, Alabama marked the turning point towards the end of legalized segregation in America, the death of George Floyd, one of countless Black Americans murdered simply for being Black, finally marked the opportunity for the nation to fully address the stain on the soul of America.

Ms. Price said in commemorating the Battle of Gettysburg, President Lincoln spoke some of the most eloquent words in history. He said he concluded his remarks with these words: "That we here highly resolve that these dead shall not have died in vain; that this nation, under God, shall have a new birth of freedom, and that government by the people, of the people, for the people shall not perish from the earth."

Ms. Price said turning, then, to what happened after the Civil War, there was a period of reconstruction. She said after that, there were the imposition of legalized segregation, mass incarceration of Black males, and the Jim Crow era of literacy tests, poll taxes, and the Grandfather Clause, all of which were restrictions specifically enacted to disenfranchise Black Americans. She said once Black Americans were successfully removed from government involvement, the vast majority of Confederate iconography was erected starting in the early 1900s.

Ms. Price said some say removal of the statues is wrong because that is removing or rewriting history. She said her question, in reply, is whether that is the history which they want to exalt for the retention of these memorials erected under such circumstances. She asked what history and legacy they will leave their grandchildren. She asked if they would look to the past or live in the future. She said answering those questions are what this process is all about.

Ms. Price said she regularly pledges to strive for justice and peace among all people, and to respect the dignity of every human being. She said the County's obligation as a government is to ensure they act in a way that serves the needs of all residents so that they are truly acting as a government of the people, by the people, and for the people.

Ms. Price said she supports this process of public engagement and participation by all residents in order to determine what actions should be taken regarding the disposition of the "At the Ready" statue, two cannons, and stacked cannonballs on the grounds of the Albemarle County Courthouse.

Ms. Price said she does not support the holding of an advisory referendum. She said now is the time to take action.

Ms. Palmer said she would save her comments for after the public hearing.

Ms. McKeel said she would also save her comments until after the public hearing, but she would like to take the opportunity to thank their representatives in the General Assembly for giving the Board this opportunity. She said since 2017, Albemarle County requested local control of their monuments and memorials, and for her, this is a wonderful opportunity that the County has waited a long time for.

Ms. McKeel thanked the community for their outreach and thoughtful emails. She said she was very much in favor of taking this to public hearing.

Ms. Mallek said she had no questions. She said she was also grateful for all the learning that has happened for her, personally, in the last 15 years. She said she grew up there, and what she has learned in the last 15 years was never presented in any of the schooling she had in the 1950s and 1960s, even though there were very good opportunities to do that. She said lifelong learning is a very important thing, and that she has benefited from the help of many others who have brought her along. She said she

looked forward to the public hearing and getting on with the next steps for which the County finally has the authority.

Mr. Gallaway concurred with this remark. He recalled going down just two years ago advocating at the committee meeting for the County to have control over their property and the things displayed on it. He said after leaving that meeting, he was feeling very defeated and that this would not be very likely. He said a year afterwards, citizens have made some changes, and there is a new law in effect. He said he was glad this day was here and that this was in front of the Board, and they can proceed to the public hearing to hear from everyone and move on for the Board to be able to take a vote on it. He said he would be looking forward to that.

Ms. LaPisto-Kirtley **moved** that the Board authorize the Clerk to schedule a public hearing on its intent to remove, relocate, contextualize, or cover the identified monuments or memorials for August 6, 2020 at 6:00 p.m., and authorize notice of the public hearing to be advertised. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

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

Mr. Gallaway remarked that he appreciated all of Mr. Kamptner's time and effort in his work on the legislative packets for that year. He said at one point in time, this was a topic that Mr. Kamptner was asking if they should continue. He said there have been a couple different topics of whether or not it was futile, or if they should continue with something that did not seem likely. He said they kept it there and kept doing what they could do on their end to advocate for it. He said he appreciated Mr. Kamptner's efforts in keeping it online and on task and working on the packet.

---

Agenda Item No. 11. **Presentation – Long Range Planning Projects Update**

Item No. 11. a. Rio29 Form Based Code.

The Executive Summary forwarded to the Board states that staff began work on the Rio29 Form Based Code in March 2019 when the Board adopted a Resolution of Intent to amend the Zoning Ordinance. Throughout 2019 staff implemented a collaborative engagement process that involved a series of meetings with a project Steering Committee, "open studios" with members of the public, focus groups with property owners, developers, and work sessions with the Planning Commission and the Board. Leveraging this rigorous engagement process, staff developed a draft "framework" for the form based code. At a December work session, the Board directed staff to advance the framework into a draft ordinance for the area and asked staff to complete this work in as timely of a manner as possible. The original 2020 Work & Engagement Plan (Attachment A) and the Community Development Work Program anticipated completion of the Rio29 Form Based Code in the fourth quarter of 2020.

In the first quarter of 2020, staff began internal work on code drafting and engaging internal stakeholders on technical content development. Staff also began the procurement process to select an outside consultant to provide peer review and scenario modeling to support the code drafting process. Funding was temporarily frozen for consultant support on this project while the Board revisited the FY2020 and FY2021 budgets due to impacts from the coronavirus. Staff also adjusted the work program to reflect a need to conduct virtual, rather than in-person engagement with members of the Architectural Review Board. Due to these adjustments, staff's revised work plan anticipates completion of the project in the first quarter of 2021.

Currently, staff is working through draft code content with internal and agency reviewers and is pursuing a contract with a peer review consultant. Staff is identifying topics of engagement for a Board work session this fall, including some structural / board level decisions around the topic of implementation.

Peer review and scenario modeling associated with this project is expected to cost \$30,000.

This item is provided to the Board as a status update for information. No action is required, though staff is open to any feedback members of the Board may have on the revised 2020 Work & Engagement Plan.

---

Ms. Rachel Falkenstein (Principal Planner) said she was joined by Ms. Michaela Accardi (Senior Neighborhood Planner) and Mr. Andrew Knuppel (Neighborhood Planner), who will provide status updates on the two long-range planning projects. She said the first one they would talk about is the Rio29 Form Based Code. She said she would go through some slides to give an update on where they are, then pause for questions and discussions before getting into the Crozet project.

Ms. Falkenstein said last time they came to the Board with this project was in December of 2019, when they brought what they called their Rio29 Draft Framework for the Form Based Code project for the Board's review. She said before that time, they had a heavy period of intense engagement on this project where they worked with a steering committee, had a series of public workshops, some stakeholder focus groups where they invited property owners and the development community [inaudible], then a series of

Planning Commission workshops on the form-based code content. She said they took all of that feedback and turned it into the draft framework, which is essentially an outline of content for form-based code.

Ms. Falkenstein said once the Board review this in December, they guided staff to turn this into a Zoning Ordinance Amendment for the Rio29 area, which is what they are working on right now and will give the Board a quick update on, since it has been a while since they have talked to the Board about the project.

Ms. Falkenstein said the current work is a lot of technical ordinance drafting, where they have staff team working on turning the outline they had brought to the Board into some technical code content. She said they are working with internal agency reviewers to run some proposed standards by then to ensure consistency. She said they are working with VDOT, Economic Development Office, and transit partners in Fire and Rescue. She said they are collaborating with the Architectural Review Board to develop some design criteria for a Rio29 Certificate of Appropriateness that will be part of the form-based code project.

Ms. Falkenstein said they are preparing for some future consultant work on this project. She said when they talked about this in December, staff asked for some funding for some peer review and scenario modeling. She said these are items that they will work with an outside expertise on form-based code to review their draft code content to give them some feedback and comments on the draft, from work they have done across the country on form-based code. She said they will also mockup some development on a couple sites within the Rio29 area to show and demonstrate what the regulations staff drafted would look like in a real site development.

Ms. Falkenstein said she would give a quick update on the timeline and work plan for this project, and the impacts to the schedule from COVID-19. She said when staff brought this to the Board last year, they said they would need about a year to turn the framework into a final draft ordinance for the Board's review and adoption. She said this timeline has slipped somewhat because of COVID-19. She said there was a period of time where they were not able to work on this project because they had to regroup and focus on other things as the stay-at-home order went into place. She said this caused some delay to the project.

Ms. Falkenstein said they also had funding for a consultant that they temporarily froze while the Board was reviewing the revised budget, so this delayed the consultant work.

Ms. Falkenstein said staff's best guess for the new timeline would be first quarter of 2021 to bring the final draft to the Board. She said hopefully by February, staff will be ready for the Board's review and adoption at that time.

Ms. Falkenstein said as far as engagement, staff's work in the first two quarters of 2020 have been internally focused, and they will keep moving forward on that. She said they do anticipate some engagement in the fall, and they think they will be able to conduct virtual engagement with this. She said although they do not know exactly how this will look, there will probably be some opportunities for virtual meetings with stakeholders and property owners, as well as some online engagement opportunities.

Ms. Mallek said the scope of the consultancy sounds appropriately limited, if she understands correctly what Ms. Falkenstein means. She asked if someone would research what other communities have done, which she knows is something the County has already done with Places29 over and over. She said at a future meeting or in an email, perhaps Ms. Falkenstein can share more details about what this means so that they make sure that there will be a very strict scope written out that they will be having the consultant adhere to. She said she is very worried that someone will take off and give a lot of copy and paste from someplace else.

Ms. Falkenstein said she would address this quickly and would be happy to follow up with an email with a copy of the scope. She said staff is looking for people who have written form-based codes before. She said there are a couple of expert firms that do this as focused work. She said they are looking for someone who has actually written code before, and not just to do research of what other localities have done. She said it will be scoped so that they review drafts. She said staff is not asking the consultant to write the code for them, or to pull best practices, but are actually asking them to review a draft ordinance and provide any comments or feedback based on their experience.

Mr. Gallaway noted that the funding item for this to continue is in place, even though there was a comment about it being paused. He asked [inaudible] funding around these items.

Ms. Falkenstein replied no. She said staff has been directed they can move forward with the funding for this.

---

Item No. 11. b. Crozet Master Plan Update.

The Executive Summary forwarded to the Board states that staff began work on the Crozet Master Plan update in September 2019 when the Board adopted a Resolution of Intent to amend the Master Plan and endorsed the project Work & Engagement Plan. In collaboration with stakeholders, members of the public, and the Crozet Community Advisory Committee (CAC), staff completed the community visioning phase of the project and shared draft goals and guiding principles with the Board in

December 2019. Currently, staff is working through “Phase 2” of the project to draft recommendations and design strategies that will support the goals and guiding principles. The original scope (Attachment A) and the Community Development Work Program anticipated completion of the Crozet Master Plan update in the fourth quarter of 2020.

Through the first half of 2020, staff planned to hold in-person monthly workshops and focus groups supported by online and digital engagement to develop recommendations for each chapter of the Master Plan. Before the governor’s stay at home order went in place, staff was able to complete the first two of the five planned workshops. After the County began observing restrictions on public events due to the coronavirus, staff had to revise the engagement methods to allow the project to proceed, while still ensuring adequate opportunities for community members to share feedback.

The revised Work & Engagement Plan (Attachment B) provides opportunities for remote engagement through virtual meetings with the Crozet CAC, which are open to members of the public, and online questionnaires to replace the in-person workshops. These online “workshops” are hosted through the Imagine Crozet <<https://publicinput.com/6258/>> community engagement hub and walk participants through a series of focused questions and mapping exercises on the topics of character/land use, connectivity, and conservation. Due to the delay in work caused by the coronavirus, staff’s revised work plan anticipates completion of the project in March of 2021.

As of this writing, participation through the Imagine Crozet site has been mixed, with 128 people participating in the bicycle and pedestrian connectivity workshop and 17 people completing the architecture and preservation planning workshop.

Updating the Crozet Master Plan is part of Community Development’s work program and no additional budget impacts are expected.

This item is provided to the Board as a status update for information. No action is required by the Board, though staff is open to any feedback members of the Board may have on the revised engagement approach.

---

Ms. Falkenstein said she would provide a similar quick update on the Crozet Master Plan. She said the two projects are tracking very similar timelines. She said staff was last before the Board on this project in December of 2019, where at the completion of the first phase (“Visioning”), they brought out draft guiding principles and goals for the Board’s review and feedback. She said they heard from feedback from the Board that they can then incorporate it into their next phase of work.

Ms. Falkenstein said Phase II is focused topic area conversations with the community, and staff initially scoped five in-person workshops on a series of topics for the community. She said in January and February, they were able to complete the first two of those in-person workshops. She said with the shift to operations due to COVID-19, they had to rescope how this would look and how the engagement would work for this project, as it is such a heavy engagement-focused project.

Ms. Falkenstein said post-COVID-19, staff is conducting virtual engagement, and a series of workshops has been turned into a series of online engagement opportunities where, through the platform PublicInput.com, across the organization, they have been using a series of focused questionnaires that they invite members of the public to participate in on topics where they walk them through questions and mapping exercises on topics such as traffic and transit, bicycle and pedestrian connectivity, and housing. She said they are working through the workshops online.

Ms. Falkenstein said subsequent to that, they are doing virtual CAC meetings with the Crozet Community Advisory Committee where they bring topics from the online feedback (where they have mixed feedback, or where there is not clear direction from members of the public) for the CAC to deliberate on and discuss. She said those are held as virtual meetings through Zoom, similar to the Board’s.

Ms. Falkenstein said lastly, they are hoping that by the end of the summer, they can have a virtual open house venue where people are invited to participate in the area of recommendations staff have pulled together through virtual and in-person feedback, as well as to discuss implementation. She said they do not have the format exactly worked out with that yet, but they would like it to be an opportunity for some dialogue with members of the public and not just the static online engagement they have been doing with some of the workshops. She said staff will have more information on that as they roll it out.

Ms. Falkenstein said as a summary of what staff has seen so far with participation, at their in-person workshops they held in January and February, they estimated about 40 people who attended each of those workshops. She said they have always been doing an online component with their workshops in Crozet, for those people who are unable to come in person or the timing doesn’t work for their schedule. She said staff saw about 60 and 80 participants online for those in-person workshops.

Ms. Falkenstein said since they have gone virtual, it is a bit of a mixed bag on participation right now, and it is probably too early to make any conclusions about this, as some of the online materials are still open. She said Housing Preservation did not have a strong turnout with the online workshop so far, with only 17 participants. She said for Bicycle and Pedestrian Connectivity, the community is passionate about this topic, and they had 128 participants online. She said Streets and Transit was just rolled out

online at the end of last week and so far, they have seen 34 participants.

Ms. Falkenstein said the two online workshops with lower participation were still open, so staff hopes those numbers will go up. She said perhaps with the Housing and Preservation workshop, it is such a focused topic that focuses on a couple of specific neighborhoods where perhaps it did not have as much widespread interest as some of the other topics. She said staff does direct mailings and had an ad in the Crozet Gazette about the project moving to the online participation forum. She said staff tries to still do as much outreach as they can to get the word out on these.

Ms. Falkenstein said lastly, she wanted to provide an update on the schedule. She said it is tracking similar to the Rio29 project, where they had several weeks of delay on the project, resulting in regrouping and thinking about how they would conduct engagement in a virtual capacity. She said she feels that they got a good cross-section of the population to participate and were able to do outreach and get the word out. She said staff estimates that this delayed the project likely by two months, and that they think they will have a final draft to the Board in the first quarter of 2021.

Ms. Palmer said the last two presentations have been a great example of how hard Community Development is working, even through COVID-19.

Ms. McKeel said she agreed with what Ms. Palmer said about working through the COVID-19 in that it has been great work. She said this work is outstanding and exhibits a high level of community engagement. She asked Ms. Falkenstein if they are tracking how much money they are spending, and staff support, when they do this Master Plan work.

Ms. Falkenstein asked Ms. McKeel if she was asking how much staff time is spent on it.

Ms. McKeel asked what the financial cost is. She said she was not saying it was bad, but she was simply asking if they track how much this is costing the community (all the taxpayers). She said she knew that specifically with Crozet, it has been high engagement, which she thinks is great. She said she would ask the same question about the other Master Plan. She asked if there was a sense of how much they cost and whether one has been much more expensive than another. She said she was trying to get a handle around the financial impacts.

Ms. Falkenstein said the Master Planning is done mostly in-house. She said for Crozet, they are working with a consultant to do some traffic analysis and a parking study. She said beyond that, it is staff work, so they do it all in-house.

Ms. McKeel said she understands it is in-house and that a consultant is doing part of this work. She said what she was getting at is what the financial commitment is to this. She said Ms. Falkenstein was answering her question in that she really does not have a good sense of that.

Ms. Mallek said she disagreed.

Ms. McKeel said she was not trying to put Ms. Falkenstein on the spot, but she was trying to figure out if they are tracking how much time is spent. She asked if there was a baseline from Pantops or from any of the other Master Plans.

Ms. Falkenstein asked Ms. McKeel if she was asking about how much staff time is spent.

Ms. McKeel said she was asking about the financial commitment on behalf of the community.

Ms. Falkenstein replied that she did not have this.

Ms. McKeel said she did not want Ms. Falkenstein spending a lot of time figuring this out but wanted to know if they had some sort of idea or baseline.

Ms. Mallek said in response to the previous question, the CIP for years had different amounts budgeted that were to anticipate the staff time needed to accomplish these things. She said she suspected that Places29, because its geography is so huge, did take a tremendous amount of resources, both from multiple consultancies and lots of time.

Ms. Mallek said on the positive side, staff has done a spectacular job of welcoming people into the process by telephone. She said some people are lucky enough to have online access, but that having the telephone access and people being able to call in has brought such a good cross-section of people who could not necessarily come to Western to a long meeting. She said these are little aspects of things that they are doing differently now that she hopes they will always continue because of the benefits that they are seeing from getting such good ideas and involvement. She said she looked forward to the next step.

Mr. Gallaway asked Ms. Falkenstein if there was anything else staff needed from the Board.

Ms. Falkenstein replied no.

---

**Recess.** The Board recessed its meeting at 2:38 p.m. and reconvened at 2:54 p.m.

---

Agenda Item No. 12. **Presentation** – Virginia Department of Transportation (VDOT) Quarterly Report.

Ms. Carrie Shephard, Charlottesville Residency Administrator, said she would provide the quarterly update, pausing for questions and taking any thoughts and concerns at the end of the presentation.

Ms. Shephard said she would start with the preliminary engineering projects in the County. She said the first project is the Route 240/250 Roundabout. She said right now, they are waiting to get to the PAC milestone. She said they passed the right of way stage, and the ad date is currently November of 2020.

Ms. Shephard said there is the Route 240 Bridge Rehabilitation over Lickinghole Creek. She said the last milestone was right of way, and they are looking towards PAC at this point, with a Spring 2022 ad date.

Ms. Shephard said there are bike and pedestrian enhancements in a lot of different locations. She said they will readvertise this one after going through the PAC, so the ad date for that one is to be determined.

Ms. Shephard said there is the Route 726 Bridge Replacement over Totier Creek. She said this just started construction about a week ago, and they are expecting it to wrap up in about a year.

Ms. Shephard said there is the Route 708 Bridge Repair over N.F. Hardware. She said they just passed preliminary field inspection and now, their next milestone is public hearing. She said they have not set a date for that and are expecting it to be some time in the fall, but they have not received guidance on how to hold public hearings at this point. She said more information will be coming out about this project. She said the ad date is still currently set at March 2022.

Ms. Shephard said there is the Route 641 Bridge Replacement over Marsh Run. She said PFI (Preliminary Field Inspection) has been tasked and is looking toward public hearing. She said the ad date is October 2025.

Ms. Shephard said there is the Route 667 Bridge Replacement over Piney Creek. She said the last milestone was public hearing, and next is field inspection. She said the ad date is January 2023.

Ms. Shephard said there is the Route 702 Bridge Replacement over Morey Creek. She said the last milestone was field inspection, and the next is the right of way phase. She said the ad date is currently set at March 2022.

Ms. Shephard said there is the Route 29 Solutions Project. She said they are working on automated traffic signals through the City, with the Angus signal in VDOT operation, and with others to follow. She said they are currently developing agreements with the City to operate those other signals that have crossed into the City limits. She said the completion date is still to be determined.

Ms. Shephard said there is the Hydraulic/Hillsdale South Project. She said the preapplication was submitted. She said the final application will be due that August.

Ms. Shephard said there is the Albemarle County Design Build Project. She said the next milestone is right of way plan approval. She said they are expecting the first submission in late July of this year. She said anticipated construction start date is next summer.

Ms. Shephard said the Route 20/649 Roundabout is heading toward right of way plan approval. She said they are expecting their first submission mid-July of 2020, with a construction start date of next summer.

Ms. Shephard said there is the Exit 124 Diverging Diamond. She said the right of way plan approval is in process. She said the first submission is expected early July of 2020, so sometime in the next couple weeks. She said it is planned to start in winter of that year, or in early 2021.

Ms. Shephard said there is the connector road between Rio Road and Berkmar Drive Extended. She said they received 100% design submittal and right of way plan approval, and that this has a construction date of fall of that year.

Ms. Shephard said there is the Exit 118 project for improvements at the ramps. She said this is currently under construction. She said her date for this was somewhat behind, as it had already started. She said the 29 Northbound/Fontaine Avenue ramp is also currently under construction.

Ms. McKeel commented that the community will really see some construction projects, when it comes to highways and roads, over the next few years.

Ms. Mallek said after 20 years of not getting anything built, it was really great to see things moving along. She said on page 1 of the presentation, regarding the 240 Bridge Replacement over Lickinghole Creek, and because she knew that this project had begun before Ms. Shephard had come on board, she wanted to make a quick note that the community in Crozet is panic-stricken (to say the

least) that their only north-south connection will be shut down for months.

Ms. Mallek said over a year ago, she began asking Mr. Joel DeNunzio, then Mr. Allen Saunders, and now Ms. Shepherd to consider that this project, which is not a crisis, could be swapped out and change places with the Eastern Avenue Bridge because once the Eastern Avenue Bridge is constructed in 3-5 years or whatever it takes, thousands of people, school buses, and ambulances will have an alternative to get north and south, which would be missing.

Ms. Mallek said regarding 641 Marsh Run in Advance Mills, she wanted to make sure that this is still in "as-is" condition (or, in other words, not giant-sized), and is replacing the bridge and piers as they are today. She said she knows this has gone through many cycles over 20 years, and one of the plans that keeps popping up now and then is a giant bridge to span the whole bottomland, which would really damage all the village there and also bring in a lot of 18-wheelers that they just cannot handle on the curvy roads.

Ms. Shepherd said she understood. She reiterated that the public hearing for that project should be coming up hopefully that fall, so comments like this will be welcome.

Ms. Shepherd said there were a couple things that were finished, and some County safety and operational improvements they have made. She said Route 29 and Hydraulic is complete. She said that at 743/Earlsville Road, the permanent post-mounted radar feedback signs are in place, as well as the flashing stop sign at Reas Ford.

Ms. Shepherd said this fall, as far as bridge projects with state forces, there is the Route 640/Gilbert Station Road Bridge Repair that will be this fall. She said hopefully, it will not be delayed due to the railroad clearances. She said she thinks they should still be on target for the fall.

Ms. Shepherd said there are various bridge repair maintenance projects on I-64, Route 29, and other routes. She said this is an ongoing maintenance project, and that usually, nighttime or allowable daytime lane closures will be expected. This is to reference to repairs on substructures, beam repairs, deck packing, and the like.

Ms. Shepherd said there are Traffic Engineering work orders that were completed. She said the 601 Free Union Road Bridge over Branch Piney Creek had a sign review, and new Yield and One-Way Bridge signs were completed in mid-June.

Ms. Shepherd said the sign review on 1115 Broadway Street is complete, and the No Outlet sign has been installed.

Ms. Shepherd said the 1765 Fontana Drive sign review was also complete, and a speed limit sign has been installed.

Ms. Shepherd said 627 Porters Road also completed sign review and Stop Ahead signs have been installed.

Ms. Shepherd said there were Traffic Engineering work orders currently under review, including Pantops Mountain/250 Phasing Analysis, and Route 29/South Hollymead.

Ms. Shepherd said there is an intersection review of Route 250/601/855 Old Ivy Exit Ramp, which is still ongoing.

Ms. Shepherd said there is an intersection review for traffic calming at 1427 Hillsdale and 866 Greenbrier.

Ms. Shepherd said there is a STARS study in place for 5th Street/Old Lynchburg Road, which VDOT is coordinating with the County.

Ms. Shepherd said there is a mini-roundabout proposal for 743 Earlsville Road/660 Reas Ford Road, and currently, VDOT recommends funds identified through the County to carry on a project proposal specific with the design elements to include survey, drainage, and environmental considerations before proceeding, at this point.

Ms. Shepherd said 1301 Harrison Street is an intersection review that is still ongoing.

Ms. Shepherd said the 1915 Eastern Avenue intersection review for All Way Stop and speed review is in progress.

Ms. Shepherd said lastly, there is a speed review on Dick Woods Road. She said this concluded the Traffic Engineering items.

Ms. Palmer said she would like Ms. Shepherd to speak at the end of her presentation about how Virginia's amended budget will affect transportation in this area. She said while it was nice to see these things moving forward, it would be good to hear a few words about that, if Ms. Shepherd was prepared for that.

Ms. Shepherd said she could do that.



Ms. Mallek said she would wait for Mr. McDermott to talk more about the Route 743/660 project, and that she would add one other project for the list at the end.

Mr. Gallaway said he had a question about the Hillsdale and Greenbrier intersection review. He said it seems the traffic calming has been ongoing for quite a while. He said it has been stated well before Ms. Shepherd came on that this was ongoing. He said he was not looking for an answer right now but would love a more detailed update on where they are at with that particular item.

Ms. Shepherd said she was sure Mr. McDermott could help her on that question.

Mr. Gallaway said some of these projects seem to linger in the same comments for a long time, and it is hard to know where they are at without asking for the details.

Ms. Shepherd said she understood. She continued her presentation.

Ms. Shepherd said she would next run through the Land Use open items. She said there is the Brookhill development on Route 29. She said Polo Grounds improvements is nearing completion, and will include 2 miles of internal subdivision streets, with a connection to Ashwood Boulevard.

Ms. Shepherd said there is also the Lewis and Clark Extension on Route 29. She said the construction is ongoing, and the developer is hoping for an August opening. She said before then, a detour will be needed for the intersection reconstruction at Quail Run.

Ms. Shepherd said there is also North Pointe on Route 29, where median work is ongoing. She said they will continue to expect nightly lane closures through July, and hopefully, this will be wrapped up at that time. She said they are constructing two of three major 29 entrances, and a signalized R-cut at Lewis and Clark, which has not yet started and will be under a separate developer.

Ms. Shepherd said lastly, there is Rivanna Village Phase II on Route 250 awaiting plan approval. She said what is holding this up are agreements for the retaining wall maintenance needed between VDOT and Albemarle.

Ms. Shepherd said in terms of the budget, she had a final slide to show about pavement allocations to generate awareness for some funding shortfalls that they are experiencing. She said what she has put in front of the Board is, for Culpeper District Charlottesville Residency, primary pavement allocations from 2016 to date, and secondary pavement allocations from 2016 to date.

Ms. Shepherd said for primary pavement allocations, through the years, it has been a range of over \$1.5 million to \$5 million, close to \$4 million, close to \$3 million (twice), and for the coming year, they are at \$927,000 for their primary pavement repairs. She said this entire sum of money is currently programmed to repave Route 22 Louisa Road, which is a total of 5.35 miles. She said this eats up the entire allocation for their primary pavement resurfacing.

Ms. Shepherd said for secondary pavement allocations, this year, Albemarle has seen a little bit of a drop, but compared to other localities, it is not nearly as severe. She said they are thankful for that, and they didn't have to cut like they did for the primary pavement allocations. She said to put a rough number on it and put it into more perspective, the Culpeper District Resurfacing Program in Calendar Year 20 was \$30 million. She said next year, the program is \$14 million, which is less than half of what they are used to. She said this includes interstate, primary, and secondary repaving.

Ms. Shepherd said to answer the question about how the budget is being affected right now, their pavement resurfacing program has definitely taken a big hit. She said luckily, their residency budget has stayed steady. She said the only portion that has taken another hit is the snow budget allocations for the coming year. She said she wanted to generate awareness and bring this to the Board's attention so they can see and get a real feel for the numbers and how far this amount of money really takes them.

Ms. Shepherd concluded her presentation and said she could take questions.

Ms. Price asked Ms. Shepherd if she could go back a slide to the Rivanna Village Phase II/Route 250 project. She asked what was involved in that particular application or proposal. She asked if it was just the retaining wall maintenance agreement.

Ms. Shepherd replied that she was not exactly sure what all the outstanding items are. She said she didn't know how many comments are left and would have to talk to the Land Use Engineer (Mr. Adam Moore) to figure out exactly what comments might be outstanding. She said as Mr. Moore called it out to her, she assumes the major items are the agreement for the retaining wall. She said she could check on that and get back to Ms. Price.

Ms. Price said she would appreciate it and would ask Mr. McDermott as well. She asked if Ms. Shepherd could go to the next slide. She said clearly over the last 3-4 years, it looks like they are seeing a substantial decline in both the primary and secondary pavement allocations. She said while they might be able to look at the most recent decline as somehow being connected with the pandemic and changing economic situation, it is clear that this began well before that. She asked if there was an explanation for why they are seeing such a substantial reduction in these allocations.

Ms. Shephard replied that the allocations are based on pavement ratings. She said the decrease is likely a mirror of how good the pavements actually are. She said Ms. Price was right that the most recent cut is because of the pandemic and the economy in general. She said as far as the specific years, as far as why it suddenly went down, it is usually because of the pavement condition ratings, so if they are higher, they would get less funding. She said there have been some economic impacts that have affected those numbers as well.

Ms. Price said clearly, in the last year (2020-2021), it is understood there will be impacts there. She asked if it was a fair conclusion to draw that starting from 2017, under the primary pavement allocations where they see a decline, that this may be an indication that the current condition of the roadways is high. She asked if they continue to diminish or decrease the amount of the allocations, if they will run into an infrastructure deficiency at some point, which would then be a major issue for maintaining the roads.

Ms. Shephard replied yes. She said this is an excellent point, and very true. She said this is something they are concerned about in the Culpeper District, especially with the Calendar Year 21 projections. She said there is really nothing locally there, or at district level, that they can do about that other than for those who have the ability to influence that to speak up about it. She said elected officials, for example, can help generate awareness at a higher level than they can about just what Ms. Price spoke of.

Ms. Price said this was fair. She said when Ms. Shephard says, "elected officials," the Board of Supervisors of the County would fall into that. She asked if this was something they should also turn to their legislative senators and delegates for assistance on.

Ms. Shephard said she would support this and that she thinks this is exactly right.

Ms. Palmer said she believed that Ms. Shephard said the maintenance money is pretty much the same for the Culpeper District as it was last year. She asked if she heard that correctly.

Ms. Shephard replied that Ms. Palmer did. She said it has remained steady. She said it is a little bit less, as the snow money has been cut, but that the strictly maintenance dollars have been level.

Ms. Palmer said the Board was told last fall that the Culpeper District was going to be getting the necessary equipment to pull ditches again. She said she thought this meant 2020, until she was corrected and was told it was actually the following year that they would be expected to have that equipment. She asked if this has been postponed at all during this period, and if Ms. Shephard could comment on when that is coming.

Ms. Shephard replied that the equipment in particular that she assumed was discussed was the AC loader, and that this piece of equipment is extremely expensive. She said she knows the Charlottesville Resident Mr. DeNunzio, prior to her, tried for quite a number of years to get an AC loader without success, adding that she would support it as well because they are so expensive. She said at this time, she believes that it is either in 2023 or 2025 that they are projected to get that equipment, so it is still far out.

Ms. Shephard said it is not impossible to continue to pull ditches. She said there is one AC loader within the district that they could borrow. She said they could use other means to clean out ditches where there are problems. She said it would certainly help to have the AC loader, but it should not prevent them from doing routine maintenance where needed. She said if there are locations in particular that Ms. Palmer wants VDOT to look at, she should let them know.

Ms. Palmer said she certainly will, and she has in the past. She said this is one thing she gets a large amount of complaints about in Southern Albemarle is that the ditches need to be cleaned. She said she would send Ms. Shephard an email with some of those spots.

Ms. Palmer asked what goes under the secondary pavement allocation, and what this is good for. She asked if this is for resurfacing of the Rural Rustic Road program, or something totally different.

Ms. Shephard replied that the secondary pavement allocations are for any road that is considered a secondary, which is a Route 600 and higher. She said if it is under that, it is a primary, such as I-64 or Route 250. She said anything with a Route number of 600 or higher is considered a secondary road. She said this allocation includes asphalt and surface treatment. She said they generally do more surface treatment on these roads because they can get a lot more mileage, and that many of them are surface treated anyway, so they go back out and repair it.

Ms. Shephard said to further answer the question, the Rural Rustic funds are completely different from the secondary pavement allocations. She said those are handled from a separate pot of money as part of the secondary six-year plan, which is what the County prioritizes and tells VDOT how to spend the money. She said the secondary pavement allocations uses the ratings and other metrics to determine what is needed, such as when it was last paved and how bad of a condition it is in. She said this is how it is programmed from year to year.

Ms. Palmer asked if the Rural Rustic Road program has been affected by the amended budget and reductions.

Ms. Shepherd replied that she did not believe it has, at that point. She said the only funding they can guarantee in the Rural Rustic program is the funding for the next fiscal year. She said all the items in the outyears, the remaining five years of the six-year plan, are good estimates based on historical figures, but they cannot 100% commit to that funding until the year prior. She said as of right now, the County's plan has stayed steady for next year, and no priorities had to be pushed out.

Ms. Palmer said she read a news article that said that with transportation funding, there would not be a six-year road plan for Virginia next year. She said she was trying to understand what that really meant. She asked if Ms. Shepherd could comment, acknowledging that this was a broad question.

Ms. Shepherd said she did not see that article. She said she knows that the secondary six-year plan and the six-year plan are different sets of money, but she did not know the answer.

Ms. McKeel said she understood what Ms. Shepherd was saying about the pavement allocations and the funding, but in general, VDOT has been receiving less money over the years due to not raising the gasoline tax and the amount of gasoline being sold. She said she was talking about the big picture. She said the Governor, last year (to great fanfare) announced a transportation funding omnibus bill, which was to raise gasoline tax and index it to inflation, which was her understanding, which would have naturally kicked in today. She asked Ms. Shepherd if she could help her with the bigger picture as it relates to the County's funding, as she thinks this is part of where the funding comes from.

Ms. Shepherd said this was an excellent question that she would have to research and get back to Ms. McKeel on. She said she needs to first educate herself before she can explain how that works.

Ms. McKeel said she attended Governor Northam's big pronouncement about this, and the state went through a lot from the pandemic and reduction in funds. She said she was thinking this would kick in on July 1 and didn't think that this had been taken out of the bill. She said perhaps they could talk about this at another time.

Ms. Mallek said somewhere in Ms. Shepherd's email is a request for assistance at the intersection of Greenwood Road and Greenwood Station, where there is a lot of overgrowth on both sides and both corners of the intersection as people try to walk to or drive to the Greenwood Post Office. She said there is a combination of high speed and so many people on Greenwood Road flying across the intersection and landing in the front yard of the Greenwood Post Office that it is scary to work in there.

Ms. Mallek said for Ms. Shepherd's file, she wanted trimming, if possible, and updating her on if they at the extent of their right of way there, they will find something else to do. She said she also has a request for investigation of a four-way stop there in order to prevent people from getting killed.

Ms. Mallek said she had to laugh when Ms. Shepherd mentioned the reduction in the snow budget for next year because the dogwood trees are covered in huge red berries, and the last time she remembered this happening was in 1992-1993. She said in 1993, they had the most amazing 5 feet of snow. She said she hopes there is enough sand and salt stockpiled somewhere.

Ms. Mallek said she looked forward to hearing more about Greenwood Station when Ms. Shepherd could do so.

Ms. Shepherd said she would get back to Ms. Mallek on that request.

Mr. Gallaway asked if Mr. McDermott wanted to comment on an item that came up in one of the questions.

Mr. Kevin McDermott (Transportation Planner) said he was going to address Ms. Palmer's question on the six-year improvement plan. He said as Ms. Shepherd noted, this is separate from the secondary six-year plan and was not affected (that he has heard yet) from the recent changes due to Coronavirus. He said that was approved, and the funding (as far as he knows) will remain steady for the next year.

Mr. McDermott said in terms of the six-year improvement plan, which is the funding that would support things like revenue-sharing grants and transportation alternative grants, the state has determined that they are not going to update that six-year improvement plan for FY 21. He said projects that were applied for revenue sharing or transportation alternatives last year will not be done this year. He said they are going to put that off another year. He said he believed this was what Ms. Palmer was referencing.

Mr. Gallaway asked Ms. Shepherd if there were a couple items she was going to get some information on and bring back to the Board.

Ms. Shepherd said yes.

Mr. Gallaway thanked Ms. Shepherd for the presentation and for getting additional information.

Ms. Shepherd said she would attend Mr. McDermott's presentation.

Mr. Gallaway said it was good to know Ms. Shepherd would be there in case there were questions for her.

Agenda Item No. 13. **Presentation – County Transportation Planner Quarterly Report.**

Mr. Kevin McDermott, Principal Planner for Transportation, presented the Transportation Planning Quarterly Report for the past quarter.

Mr. McDermott said this will highlight some of the things the County has been working on over the past quarter. He said the Board had their report, which goes into some of the projects in more detail. He said he will also go over other updates since that report was submitted. He offered to answer questions both throughout the presentation and at the end.

Mr. McDermott said the point he made during Ms. Shephard's report was that last year, the County submitted revenue sharing and transportation alternative grants for three projects: the Berkmar Drive Extension to Airport Road, (including a roundabout there), the Old Lynchburg Road/Moores Creek Greenway Bicycle and Pedestrian Improvements, and the Tabor Street/High Street Pedestrian Improvements. He said funding was not announced as it typically is that spring because the state postponed the new six-year improvement plan. He said these projects, as far as he knows, will not be funded until at least next year, for July 2021, which is typically when the funding would start if they move forward with that. He said these projects are on hold.

Mr. McDermott said the numbers on the slide adjacent to each of the projects are the rankings that each of the projects were at in the most recently approved Albemarle County Priorities List, to give the Board an idea of where they all sat.

Mr. McDermott said moving down the list, they just had their conversation on the Smart Scale proposed applications for that year. He said the submittal date will be August 3, and that they are moving forward with the projects listed: Hydraulic/29 Improvements Package; US-250 Access Management and Right Turn Lanes from Route 20 to Rolkin Road in Pantops; the Fontaine Avenue/29 Bypass Diverging Diamond; Old Lynchburg Road/5th Street Extended Intersection Improvements; Route 20/Route 53 Intersection Improvements; and Belvedere/Rio Road and John Warner Parkway/Rio Road Intersection Improvements.

Mr. McDermott noted that the Belvedere/Rio Road and John Warner Parkway/Rio Road Intersection Improvements was not passed as a resolution at last month's meeting, and staff is still working with VDOT on reevaluating that project to see what their best options are for scoring and moving it forward. He said they proposed the R-cut at Belvedere and a potential roundabout at the John Warner Parkway intersection and are trying to figure out if the best option is to combine those into one or separate those. He said he will also talk about the Rio Corridor Study, which may play into that.

Mr. McDermott continued to list the Smart Scale projects that were moving forward: US-29 Shared Use Path on Seminole Lane to Carrsbrook Drive; Frays Mill/Burnley Station Road Intersection Improvements (R-cut); and the I-64 Exit 107 Crozet Park and Ride. He said those, and the ones listed above them, are all the transportation priorities they are looking at for grants right now.

Mr. McDermott said there are major planning projects the County is working on. He said the 5th Street Extended STARS Study is still ongoing. He said there were alternatives presented at a virtual public meeting in June by the VDOT consultant for all the intersections throughout that area. He said it starts at Harris Road, just inside the City line, and goes all the way down to the end of the four-lane section at Old Lynchburg Road. He said the final study is expected to be completed that summer and is currently being finalized.

Mr. McDermott said the Crozet Transportation Study was mentioned briefly by Ms. Falkenstein in her presentation earlier. He said there is a scope and cost approved for the study, and a consultant is expected to be underway in early July. He said any day now, they hope to get the final approvals on that study to move forward with. He said the idea behind the study is that it is supposed to support the Crozet Master Plan to help identify the projects that are necessary to move forward with, and the priority projects coming out of that, and to support the Barnes Lumber redevelopment project there. He said what they know is the Library Avenue connection over towards Eastern Avenue was more than halfway funded by the Barnes Lumber development proffer.

Mr. McDermott said they are also currently working on the Eastern Avenue South Extension. He said this is being managed out of the FES Project Management division, with Mr. Jack Kelsey as the project manager on that. He said currently, the transportation analysis and surveys are underway, with expected completion before Spring 2020 so they can look at this for the revenue sharing application next year.

Mr. McDermott said that regarding the Rio Road Corridor Study, staff has been working with the consultant on development of a scope and cost for that project. He said they expect the appropriation request to come to the Board at their next meeting. He said based on the interest and desires of the Board, they have moved forward with that at this time.

Mr. McDermott said the Climate Action Plan has come back to staff now, after the Board's comments. He said Transportation staff in particular worked leading the Mobility and Land Use Sector Team, and now, they are responding to and addressing the comments from the public, organizations, stakeholders, and staff, including the comments the Board had during their meeting with Phase I was

presented to them.

Mr. McDermott said Transportation staff is also assisting in the Broadway Blueprint Study and finalizing their recommendations on that. He said Broadway is associated with the Woolen Mills redevelopment and WillowTree, looking at this corridor adjacent to the City and how they can continue to enhance the development of that area.

Mr. McDermott said in terms of transit, staff continues to look at bus stop improvements. He said now, they are working with developers on how they can incorporate improved bus stops into their developments. He said this has happened on a number of projects on Rio Road. He said they are starting to have these incorporated into proposals, such as what the Board saw with Parkway Place, which was pulled but which they may see again at some point in time, as well as with the Albemarle Business Campus rezoning submission as to how they can redo bus stops to incorporate what they are looking for there.

Mr. McDermott said they are also working on the same thing as they move forward with a lot of ongoing construction and design projects, including things like the Commonwealth Drive Sidewalk Project, which is currently in design and which staff is looking at how to best incorporate the transit stop improvements into it.

Mr. McDermott said they continue to participate in the Regional Transit Partnership. He said as the Board heard at the RTP meeting in June, there are a couple grants submitted by the TJPDC for a Regional Transit Vision Plan for the entire region. He said the Albemarle County Route Expansion Plan is another grant that was submitted by the TJPDC.

Mr. McDermott said the Afton Express continues to move forward. He presented a picture showing the insignia and tagline they are going to use, "Our Drive, Your Destination", and the Afton Express with the mountains and sun in it. He said this is still moving forward, and they are working on how to [inaudible] before the service actually begins early next year.

Mr. McDermott said as far as bicycle and pedestrian projects the County is working on, there are Quality of Life Bike/Ped Projects that have been approved by the Board a number of years ago. He said many of those are moving forward, including the one he mentioned earlier for the Old Lynchburg Road project sidewalks.

Mr. McDermott said there are also Avon Bicycle and Pedestrian Improvements, which was a recommendation from the recently approved corridor study that was completed. He said this is being considered for a revenue sharing or transportation alternatives grant next year.

Mr. McDermott said for the Berkmar Shared Use Path, design is underway. He said staff tacked this onto a previously awarded revenue sharing project to extend the Berkmar Shared Use Path from Hilton Heights Road where it currently ends at the end of the VDOT Extension Project, and bring it up to Rio Road.

Mr. McDermott said the Route 20 Shared Use Path was a project that had been discussed as a Smart Scale project, but the Board decided it wasn't time to move forward with that. He said there has been some discussion with the TJPDC, who is looking at how best to form a stakeholder committee and evaluate how that might move forward. He said they are in the early stages as to how they want to look at moving this up if it will be a future project.

Mr. McDermott said another project, similar to the Route 20 Shared Use Path that was identified in the Jefferson Area Bicycle and Pedestrian plan, is the Rivanna River Bridge. He said they are still working with the TJPDC, regional partners, and VDOT on evaluating potential location and concept for a Rivanna River Bridge, primarily focused on the area south of Free Bridge all the way down to the Woolen Mills area, near the Moores Creek intersection with Rivanna River.

Mr. McDermott said another project staff has been looking at, along with some help from VDOT, is the Solomon Road/Inglewood Drive Sidewalks. He said Ms. McKeel brought this to staff's attention a number of times, and they are looking at some potential concepts for that. He said they do not have anything to share yet on that but are still working with VDOT on it.

Mr. McDermott said Bicycle and Pedestrian Facilities Inventory and Mapping is looking at conditions of sidewalks and identifying new projects. He said they hope they can look at conditions of sidewalks to start evaluating where they need to be putting maintenance money to improve sidewalks throughout the region.

Mr. McDermott said in terms of development projects, there were projects that are currently active that Transportation staff has been looking at. He said most of these projects were ones the Board has seen before, and he would not go over them all. He said staff is involved in a lot of the reviews and in working with the developers to try to incorporate any transportation needs and address transportation issues in their developments.

Mr. McDermott said the Reported Transportation Issues is a catch-all area. He said as discussed a while back, for the Miller School Road/Owensville Road Through Truck Restrictions, staff has asked VDOT to remove their request for the Owensville Road through truck restriction, and they are working on correcting the signage for the Miller School through truck restrictions.

Mr. McDermott said the County has also been receiving a lot of complaints about speeding concerns, which are coming in from all over the County. He said there were far too many to even begin to list in the presentation.

Mr. McDermott said staff will be talking to VDOT on how best to organize these, as they come in so frequently, and how to best address those. He said they do have resources such as the radar speed reading signs that are put out and do work. He said eventually, if the problems continue, they work with the Albemarle County Police Department. He said they can also move to traffic calming planning processes, but that these do take staff time. He said trying to figure out how to address those when they get to that point is something that staff is trying to work on administratively and internally.

Mr. McDermott said he was sure they would want to have some conversation about the Earlysville Road/Reas Ford Road Intersection, which was mentioned in Ms. Shephard's presentation as far as the work that has been done there now. He said staff is trying to determine what the next steps will be.

Mr. McDermott said regarding the Rural Rustic Road Hard Surfacing, as Ms. Shephard pointed out, that money is separate from the other paving programs that she was discussing. He pointed out that the money has gone down slightly on what they get for hard-surfacing roads. He said these are roads that are not currently paved, but they would like to have paved. He said the amount of money the County gets from the state has gone down slightly, but not significantly. He said staff continues to move through the process of identifying and prioritizing those roads, which are approved in the secondary six-year plan every year by the Board.

Mr. McDermott said this year, the roads approved for funding were Reservoir Road and Wesley Chapel Road. He said after these are identified and they come up for funding, staff then reaches out to all the landowners on that road and let them know of this potentially upcoming project to give them an opportunity to comment. He said the comment letters went out for Reservoir Road and Wesley Chapel Road, and the Board will be seeing resolutions to accept those as Rural Rustic Roads in late summer or early fall so they can get started on the projects this winter and finish them next spring. He said those two will be coming to the Board, and staff will be providing them with any information they hear back from residents about those.

Mr. McDermott said he wanted to touch on another item that was brought up to staff a few meetings ago, which is the Old Ivy Bridge Replacement Project. He said this is a project being done by VDOT and is Old Ivy over the US-250/29 Bypass, just north of Ivy Road. He said the proposal was that VDOT was going to remove the superstructure and deck and replace it all. He said when VDOT went out to public hearing, they had a lot of comments regarding bicycle and pedestrian accommodations on that. He said the Board rightfully asked what they could do about addressing that, and so he and Mr. Dan Butch, Transportation Planner, have been working to try to figure out how they can do something on that.

Mr. McDermott said everything they would have liked does accommodate bike and ped facilities on that. He said what VDOT will do is slightly widen the road. He said currently, the existing bridge has just two 12-foot lanes with no accommodations, such as shoulders, sidewalks. He said VDOT will be able to widen that just about 2 feet. He said they will narrow the lanes a little and provide a 4-foot shoulder on one side that will allow bicycles and pedestrians on it. He said it does give some accommodation, which was the goal. He said he would have liked to have seen more, but because they are not replacing the substructure of that bridge, they cannot expand it anymore. He said the 2 extra feet VDOT is giving us is what they were able to do.

Mr. McDermott said this is good news, and in the future, there may be potential crossings if they really want to accommodate the bicyclists and pedestrians, but he thinks this is a great short-term solution.

Ms. LaPisto-Kirtley said she appreciated everything Mr. McDermott was doing.

Ms. Price said his presentation qualifies as a thesis in Transportation for a master's program work. She said she had some questions. She asked regarding the Smart Scale rankings, historically, how far down in those numbers do they realistically have a chance of those projects being approved.

Mr. McDermott replied that the Board should keep in mind that his rank numbers do not consider the cost. He said Smart Scale is a cost-benefit analysis and is really not apples-to-apples when considering whether the County's prioritization and the Smart Scale scores would work. He said it really comes out to what is the actual cost of solutions and how much is available.

Mr. McDermott said when he started with the County four years ago, in the first year of Smart Scale that he made applications for, they were wildly successful and got seven projects funded. He said the next year, they were originally told they were not getting any projects funded, but they ended up coming back and finding enough funding to get one of the projects funded.

Mr. McDermott said he would suspect that things like Hydraulic/29 (because they have the \$18 million to add to that), even though it is a fairly high-cost project, they are putting in \$18 million of their own funds, and so he thinks this stands a very good chance of moving forward. He said the Route 20/250 Intersection Improvements scored very well in the 2018 round, and the County is adding some local funding to it, so he thinks it stands a good chance.

Mr. McDermott said out of all the Smart Scale projects, he was happy if they get one, but he would like to see three or four funded. He said they just never know until they see what other people are submitting for projects and what funding is available.

Ms. Price said she would have expected nothing less from Mr. McDermott, but it would be nice to have easy answers to complex questions. She said there was a slide that talked about Breezy Hill.

Mr. McDermott said this was discussing development projects.

Ms. Price said she understands staff has been working on some aspects of trying to improve traffic along the 250 Corridor. She asked if there was anything Mr. McDermott was able to share with the Board at that point, or if it was something for later discussion.

Mr. McDermott replied that Breezy Hill will be coming to the Board for a public hearing soon. He said staff continues to work with the developer, who has offered proffers that he believes will help things along. He said Route 250 is a very congested road right now.

Mr. McDermott said to keep in mind that there are multiple improvements already funded on Route 250, including the diverging diamond Ms. Shephard mentioned at Exit 124, and improvements at the Route 20/250 intersection that were funded in Smart Scale last year. He said those things alone will help that, but overall, they are going to see a lot of problems on Route 250, which is a concern as they continue to look at the Breezy Hill development. He said they have proffers.

Ms. Price said she was told that that was coming before the Board, but having seen it on the slide, it brought the question to mind. She thanked Mr. McDermott for the incredible amount of data and said that it was well-presented.

Ms. Palmer said her electricity and internet went out at the very beginning of Mr. McDermott's presentation, and she just got it up again in time to ask her questions. She apologized if he had already gone over this, as she heard none of his presentation.

Ms. Palmer said that with the Old Lynchburg Road/Moores Creek Greenway Bicycle and Pedestrian Improvement Plan, Mr. McDermott explained on the slide that there will be no revenue sharing next year, and the funding is not announced until 2021. She said there was a section of that project where they thought if they did it all together, it might be a better project. She said she was talking about an area that she gets a lot of complaints about where it is unsafe trying to get under the I-64 bridge on Old Lynchburg Road. She asked if there is a cost on just making that small section from the apartment complexes on the south side to Azalea Park and the connection with the City trails into Fry's Spring.

Mr. McDermott replied that this was broken up into multiple projects. He said they used a little bit of the Quality of Life funding to hire a consultant to do some concept studies and give some cost estimates. He said those were ultimately used for this grant, and they did break out the cost of the sidewalk extending from the south side of I-64 under the bridge all the way to Azalea Park.

Ms. Palmer asked if they do have a separate amount of money, and if it ends right at the City line, which she knows is a very short distance.

Mr. McDermott replied that he would have to get back to Ms. Palmer, as he did not recall the details of that study. He said he does have the information to send to her. He said he thinks this did look at bringing the sidewalk all the way to Azalea Park, but he would have to evaluate it again, and he thinks the cost was close to \$500,000 for that. He said they could always reevaluate that, and if they were not going to do it as a revenue sharing project, they would probably be able to get the cost down somewhat. He said he would have to discuss that with Ms. Palmer separately because he does not have the information, but if it is something they want to look at, they can do it.

Ms. Palmer said she would appreciate discussing that for a future time so that she can advocate for it. She said she feels as though it is a real safety issue that they should not be putting off multiple years down the line.

Ms. Palmer said another question she wanted to ask was about the US-250 West Corridor through Ivy, where they have the stores and the new development around Scott's Ivy Exxon. She said there are new development projects coming forward in that area, as well as the chronic problem of Owensville and people not being able to get out of there in the morning. She said there is poor alignment with Morgantown Road. She said she is concerned about the increased traffic, given this new development that she assumes will move forward in Ivy.

Ms. Palmer said she knows Mr. McDermott has looked at the transportation issues with that. She said she has watched many an accident. She said a couple years ago, there was a bicyclist who was killed there. She asked where they are with looking at any improvements in that area.

Mr. McDermott replied that a few years ago, the corridor study there was completed that evaluated intersection improvements at Owensville Road and made some recommendations, both short-term and long-term. He said they also made some recommendations in the community of Ivy, going through there.

Mr. McDermott said Mr. Butch was the one who actually reviewed the proposals for the Ivy development applications, but that his understanding is that they are correcting some of the problems with that project, particularly closing the open access area through there, which is obviously a very big safety concern when there is open access because people can unpredictably make turns off of Route 250 if there is not a specific point where one knows a turn will be made. He said this was a safety concern, and a recommendation from the corridor study.

Mr. McDermott said his understanding is that the projects in Ivy will address some of that, and that there are recommendations for other improvements that have been prioritized. He said they will be getting back into the prioritization process this winter, and as they look at those developments, that is something else that they will have to consider and may increase the priority of those projects at places like Owensville.

Ms. Palmer said she would also talk to Mr. McDermott about this offline at another time.

Ms. McKeel said she could tell that everyone in the Transportation world in Albemarle County has been very busy, and thanked Mr. McDermott for the great report. She thanked Mr. McDermott on behalf of many citizens who were very anxious to see, with the Old Ivy Bridge project, a way of getting across that bridge. She said this was very good news. She said even a little bit of space there will help a lot.

Ms. McKeel said she had a comment. She said something came across her radar the other day, and she believed she received it from the Virginia Transit Association, which had held its big annual meeting recently. She said it is dated June 2, and is a spreadsheet on the Invest Act, which is moving through Congress. She said she could give Mr. McDermott this information later, but what she thought was fascinating was that if the act goes through, it would create a mobility innovation program to permit transit agencies to collaborate for on-demand services, which she thought would be very interesting for the County.

Ms. McKeel said another thing that caught her attention was that this would provide money to help communities improve safety at rail crossings, with a new \$2.5 billion grade separation grant program. She said she could not speak to the fact that she knows they have rail crossings that there are safety issues, but she does know the County does have a lot of train tracks. She said she wanted to point this out and would be happy to get this to Mr. McDermott at some point. She said it is called, "New Vision for the Environment and Surface Transportation in America" and the Invest Act.

Ms. Mallek said Wesley Chapel Road is one-tenth of a mile. She asked if Mr. McDermott does not hear back quickly from landowners if he could get in touch with her so she can chase them. She said this is a matter of three years of work and almost no money to get it done. She said they have already done all the grading and pretreatment in 2019, and she did not want to lose another year if they can avoid that.

Ms. Mallek said she agrees that speeding is horrific and is the number one problem that comes up to her at townhalls, and probably in other districts as well. She said speed cameras, which are allowed to send tickets through the mail, is something she mentions to people every time they call her about speeding. She said they will have to go to the Assembly to get permission to do this, but she certainly thinks it is worth a try. She said she hopes others will think about that, and they can talk to Mr. Kamptner about it at a later time.

Ms. Mallek said the Bike Ped Conditions Survey was done by the Planning District with a big grant fewer than two years ago. She asked Mr. McDermott to ask for that and make sure it comes off the shelf so he is not wasting a lot of time on that.

Ms. Mallek said the Rivanna River Pedestrian Bridge project has been around for 10-12 years, at least, and she is very excited about the possibility of that moving forward. She said landowners had actually donated land on the eastern or northern side for that, including State Farm and others at the bottom, going off of Woolen Mills. She said there is a lot of history, and she hopes Mr. McDermott's files are able to be managed so he can pick up work that other people did a decade ago, then go forward without wasting a lot of his time.

Ms. Mallek said the Route 20 South Shared Use Path will be starting from scratch. She said in looking at alternatives, there have been Board members who have said there are alternatives, and they are not allowed to be considered. She said this will be a whole new process and not a revival of the existing plan.

Ms. Mallek said she wanted to make sure they clarify that so people didn't hear what was said about how it is going to be coming back as-is. She said depending on the interpretation, she didn't want people to think that was the case. She said they invested 18 months to here, and need to start over and spend another 18 months in good process, with good public involvement and then, they will have a project ready when the next one comes, or maybe two that work together.

Ms. Mallek said the two thorny projects are the Reas Ford/Earlysville Intersection, and the question there is of communication because in March, she and Mr. Gallaway were told that VDOT was working on it, and there was an expensive thing from Kimley-Horn that was way too big. She said they were told not to worry because it would be shrunk, and they were working on that. She said then, everything disappeared.



Ms. Mallek said there are very good solutions that are very little money, and to have their out-of-town partners continually reverting back to something that is going to cost millions when their own people have suggested better solutions that are something they can affordably do, or do themselves, she asks Mr. McDermott to keep communication going. She said the fact that she had to ask for a report that day that had been done in March and wasn't shared with her or Mr. Gallaway really made her crabby, unfortunately.

Ms. Mallek asked Mr. McDermott to help the Board stay involved, which will help them to not get in his way but support him better when the time comes. She said they will not wait for someone to get killed there. She said this has been rule at the other end of Reas Ford, where the community fussed for 10 years to get something done at the four-way stop. She said the day after someone was killed, they got put up. She said she cannot live with that happening at the northern end of Reas Ford. She said she wants the project to keep going, but it does not have to be a Route 64-sized project.

Ms. Mallek said regarding the Eastern Avenue South project, she was told three months ago that she would be notified when the survey team was starting because the landowner there, who possibly can donate property, wanted to be included. She said she has not heard anything. She asked Mr. McDermott to help her get connected on that because for surveyors to work and not have access to all the property they need to look at would be a shame. She asked if this could try to be scheduled better.

Ms. Mallek said the thorny project is Burnley Station. She said before the previous discussion and since, and even as recently as that day, they received another letter from members who use heavy trucking. She said more than a week ago, she sent questions to Mr. Chuck Proctor and stated her concerns, asking how this plan they have worked on will not result in awful things that she is hearing. She said she has heard nothing. She said she is very concerned, as she was at the meeting last time, that they are signing themselves up for a limited process and by going forward with this right now, as it is described and designed, someone will say, "Here's \$5 million, but you have to do exactly what is written on the plan now," when it may be a disaster for the community.

Ms. Mallek said there is a question that comes up the most. She said her truck is tiny compared to the ones that carry 65,000-80,000 pounds of lumber. She said it comes out of Burnley Station, goes north, crosses over, goes through the U-turn, and at 1.5 mph, will now be heading south up a hill to the Burnley Station light. She said when the light on 29 South changes, the driver will be overrun by high-speed traffic coming from the north. She said the "dodge 'em" that will be going on there has been completely ignored by the planning that has been going on.

Ms. Mallek said she hopes that others will understand the importance of this. She said they were not talking about a few rear-enders here, which is, to her, inconsequential, because people are not paying attention if they're speeding. She said this was a serious matter of running off the road, hitting a tree, and dying that they are going to be building there if they are not very careful. She said she would love to hear more about that, as she knows Mr. McDermott had planned to come back to the Board with more information about Burnley Station when they left the discussion at their last meeting.

Mr. McDermott said he did not think he had received the email Ms. Mallek had sent to Mr. Proctor with those questions, but he could help track those down and figure out what they are going to do. He said they have discussed the concern about trucks accelerating with VDOT and will continue to look at how they can address that issue.

Mr. McDermott said he did not know of any other way to respond to the Burnley Station project. He said it is a concept right now that they are making an application for. He said if it were to get funded, then during design, they will have to dig deeper into the issues. He said if they found that this was not the appropriate solution, even if it was funded, they would address that and will come back to the Board to make sure that whatever solution is finally identified is one that the Board agrees with and accepts.

Mr. McDermott said just as they did with the Albemarle bundle package that the Board saw recently where staff came back and asked for Board approval once they got the final designs for all of those, they will do the same thing with these projects if they were to get funded. He said they will continue to see what information they can get prior to submission of that.

Mr. McDermott said he was going to come back with information on Rio Road. He said he did not know if they had said anything about Burnley Station, but that he could definitely work on that. He said if they ever decide at any point of time to change their minds about moving forward with that, they will deal with that and remove it as a project if they don't want to move forward with it.

Ms. Mallek asked if it were really an either-or condition where they would not even consider doing two or three \$50,000 projects that might really make a difference which have been suggested by lots of people in the community. She asked if they would just not do those and wait for something in five years.

Ms. Mallek said she is also very concerned that they are not taking enough time to get certain with what they are asking the state to fund. She said they are going to get very impatient with the County if the County says they want \$5 million and then two years later, they do not want it after all because they are fighting with themselves, or they do not like the plan. She said she did not want to go back to the place where Albemarle County had a terrible reputation of never following through. She said this is a strong concern for her.

Mr. McDermott said as far as the Reas Ford/Earlsville intersection, part of the issue is that there

is a lot of disagreement among VDOT as to what could happen out there and what the appropriate solutions were. He said they had gotten the study that showed that \$2 million roundabout, and they went back, but people were not comfortable at some levels of VDOT with reducing that at this time, which is why it never got changed because there were people at VDOT did not want to make that a smaller project. He said they believed the only way to safely address that was to either have the bigger roundabout or have the fully constructed roundabout there. He said he thinks this was part of the problem; that they were not able to get everyone at VDOT together on the same page as to what the appropriate solution is out there.

Mr. McDermott said if they want to move forward, as he said in an email response to the Board both last night and that day, this will have to be something that the County will probably have to look at on their own because the funding isn't available from VDOT to do any more studies at this point. He said this was coming out of the secondary six-year plan money, and that money has decreased significantly from all of the other projects they have been working on. He said this will have to be a bigger conversation they have as to how they prioritize the work that County staff does to see if they can move that forward in another way.

Ms. Mallek said moving it forward in another way that is small and sized properly is absolutely the goal. She said VDOT tells them it costs millions of dollars, so they don't have to do it. She said they are looking at that for Exit 118 right now. She said they will be talking to others, and they will figure out a way to shake the tree and be involved in this. She said it seems like they have to go higher up the chain, and she was glad to do that.

Mr. Gallaway said regarding Earlysville/Reas Ford, the statement about if they want to move forward, it's on the County to do, is exactly what they were trying to do on Step 1. He said this was spurned out of a conversation at Mr. DeNunzio's County community meeting out in Earlysville and talking about ways other than having to go through the large projects against all the other large-scale things that are already competing for funding that may not happen, and how to get these smaller improvements done. He said to his credit, Mr. DeNunzio threw out some smaller-scale ideas with smaller dollar amounts. He said this is what put him in motion of trying to pursue a local option of trying to get things done.

Mr. Gallaway said he was grateful for the things that have happened there, such as the stop sign and the radar, but that was never the end goal. He said while he was appreciative of those, those were stop gaps until they got a more permanent type of solution. He said all along, he has made comments to this, and it sounded like other Supervisors would have been in agreement or would have at least been supportive of the conversation of coming back and even targeting where those resources could come from in order to pursue a different type of project there at the intersection.

Mr. Gallaway said the frustrating part for him is that they have lost time. He said they are back to the step that he was hoping they would have just taken, and that the differences of opinions about scale to have happened at a level above where he was hoping they didn't need to go.

Mr. Gallaway said Mr. DeNunzio gave a quarterly report at one point where they were going to look at localized solutions out there and hoped that VDOT would be helpful and supportive of their local efforts to do so. He said he is saying to Ms. Shephard that he is happy to pursue and do the work to get the support of other Supervisors, like their processes for other things, in an attempt to get a solution at that intersection and see where they can go with it. He said this was his hope from the start. He said it may have taken some time to get there, which was frustrating to him, but this is where he is. He said he is still of the same mind of where he was many months ago.

Mr. Gallaway said whatever he needs to do to be helpful to get this step moving, he is all for. He said if this means they need to put something together or bring it back to the Board for consideration, and if he needs to put something on the agenda as an individual Supervisor, he is certainly willing to do that. He said he would leave this for an offline conversation they can have to game plan what the next step is. He said he was certainly not going to sit satisfied with the current solutions, as this was never the end goal.

Mr. Gallaway said it was mentioned by Ms. Shephard that in the report, there were some more details about the Hillsdale/Greenbrier traffic calming solutions. He asked Mr. McDermott where this was, timing-wise.

Mr. McDermott replied that there were recommendations made, and that he believed Mr. Gallaway participated in the traffic-calming study process they went through. He said they identified a number of both low-cost and high-cost solutions that they would like to work on, such as moving the signage, and a stop bar in the pedestrian crossing to give better views. He said they were going to close one of the turn lanes from southbound Hillsdale onto Greenbrier because the view wasn't clear enough for vehicles coming to that stop there. He said a couple other minor adjustments were evaluated.

Mr. McDermott said they also did have long-term recommendations similar to what they would look at at Reas Ford if they wanted to do a roundabout. He said they got to that point, and the problem came once again to where funding would come from for some of these things.

Mr. McDermott said for some of the short-term solutions, they could probably work with Ms. Shephard and that they would involve pavement striping and perhaps movement of signs. He said if they wanted to do any major improvements, they will have to find funding for that, which is where they get

into the problems. He said there could be options for potential grants that they can evaluate, but they have a lot of grants they are trying to get for projects that are moving forward now. He said adding these on, it does start to create not only strain because they owe local funding for a lot of these grants, but also because they just do not have the staff resources to continue to move all these things forward at once.

Mr. McDermott said he was happy to share the results of that with Mr. Gallaway, and they can sit down and talk through what might be options for it.

Mr. Gallaway said he knows this is an FES project, but wanted to know if the pedestrian crossing at Greenbrier/Rio is still on track.

Mr. McDermott replied that to the best of his knowledge, this is on track. He said he heard a report from the project manager on that just last week, and they are still moving forward with that. He said they have almost gotten all of the right of way items completed and are getting close to starting construction on that.

Mr. Gallaway asked if this is tied to a couple other projects, mentioning the contract.

Mr. McDermott said he was not aware of the contract. He said they do have a contractor already on board for the project, as he understood it. He said once they get the final documentation for right of way, he believed they were able to move into construction immediately without the ad. He said he did not think there are any other projects that it is being bundled with, if that is what Mr. Gallaway was asking.

Mr. Gallaway said he know that he'll be glad to see that the Rio Corridor Study will be coming back to the Board in very quick order. He said when he looks at the report, he sees that along Rio Road, there are some different things that overlap. He said there is a consultant comment about form-based code and the Small Area Plan on the development of conceptual designs and cost estimates for bike/ped improvements. He said at Belvedere, there was a project previously put on hold, and they are waiting on a study from VDOT to evaluate potential improvements at Belvedere, which they know is resulting in some of the Smart Scale applications.

Mr. Gallaway said when they get to a corridor study, he hopes that the work around all those other pieces will easily be tied in or pulled in to inform the corridor study and that they do not lose the overlap. He said he will be very important that the intersection at Route 29 and any information gleaned from the Small Area Plan or form-based code work, all the way down to previous information on past projects at almost every intersection on Rio Road, all gets pulled in to the effort. He said he was sure it will, but he felt better saying it out loud.

Mr. McDermott said they are looking at that.

Ms. Mallek said regarding the corridor study, if it is not included in the scope and listing all the previous studies they already have, they will be ignored. She asked Mr. McDermott to be very firm in his direction when they hire someone because in VTRANS they never even read the long-range plan. She said the wasted time and money was horrific. She said they have to be very firm about what they expect and what they are willing to put up with.

Ms. Mallek said when the Hillsdale project began in 2001-2002, it always had a stop light at Greenbrier for traffic calming and pedestrians. She said she knows this is not fashionable anymore but is certainly much less than the millions of dollars that keep trying to be put out for all the other efforts. She said she hoped someone will consider that.

Ms. Mallek said the small, within the right of way projects are used all the time in other residencies. She said in Louisa residency and the Valley, they are the people in VDOT who were providing these ideas to the County, which is why they need to figure out ways to stand up for themselves and say that there is 100 feet of right of way, and know that 80 feet of right of way is all that is needed for the roundabout that is at Wegman's. She said it could be dropped into the newly paved intersection at Reas Ford and Earlysville Road. She said it could be dropped into the beautifully paved intersection at Greenbrier and Hillsdale. She said they can put the paint and signs up, and although she knows she is oversimplifying it, it does not have to cost \$5 million when they already have the land and the roadways.

Ms. Mallek said that the perfect in the way of the good is what is really killing them, and they really need to use the experience from these residencies and steal their ideas of things that are being done in other places where they are more open to doing things that are size-appropriate.

Mr. Gallaway said this was a lot of information, and Mr. McDermott always gets peppered with questions from Supervisors from all different directions. He said they appreciate the fact that Mr. McDermott is willing to get information back as fast as he can.

---

Agenda Item No. 23. From the County Executive: Report on Matters Not Listed on the Agenda.

Mr. Jeff Richardson (County Executive) said he had a very brief check-in with the Board for the County Executive's monthly report, and that they were talking about moving forward into Phase 3. He said Phase 3, for Albemarle County, looks a lot like Phase 2, except in a few key areas. He said beginning on July 20, the office buildings will re-open to the public for onsite services, Monday-Friday, 8:00 a.m. to 5:00 p.m. He said Parks will resume organized athletics, and community centers will allow

private rentals for up to 25 people. He said shelters and parks will resume reservations in alignment with state guidelines for Phase 3.

Mr. Richardson said one area that will not see changes is public meetings. He said they will continue to offer virtual meetings for the foreseeable future.

Mr. Richardson said beginning July 20, visitors to County office buildings will be coming in through the visitor's entrances, just as in the past, and will be greeted at the entry, where they will be asked health screening questions. He said there will be the opportunity for a temperature screen. He said cloth face coverings and hand sanitation will be required. He said at the entryway where they have the Customer Service Ambassador, once that person understands what the visit to the building is for, they will try to make the connection to the department and to the person to expedite the visit and customer service need, and to make this as easy for citizens as possible.

Mr. Richardson said they are in the final stages of completing the Phase 3 employee playbook. He presented a high-level summary of what the employee procedures will be. He said they will continue to emphasize and take advantage primarily with teleworking. He said physical distancing will be practiced in the buildings, and they will limit occupancy of physical spaces. He said this work has been underway with the FES Department, who has done an excellent job of preparing for the inevitability of people coming back into the building, to some degree.

Mr. Richardson said there will be face coverings for employees and customers, and they will employ the customer screening protocols he mentioned earlier. He said they will limit work-related gatherings, as well as meeting duration caps. He said meeting durations will be monitored. He said they will continue with no work-related travel outside of the County. He said they are prepared to do enhanced cleaning and disinfection, including cleaning stations throughout the buildings. He said they will divert employees to non-visitor entrances when they can do so in order to limit the number of people coming in and out.

Mr. Richardson said he was so proud not only of the Finance Department, but of County employees for doing a great job during tax season. He said the tax bills and communications both included instructions on how to pay taxes while the building was closed. He said there were approximately 2,500 taxpayers that came onsite to make their payments. He said ambassador tents were set up in front of the Visitors Center entrance to assist taxpayers who could not utilize the drop box, payment kiosk, or other means.

Mr. Richardson said additionally, they allowed people who had complicated questions or problems that needed assistance inside the building. He said they did escort these people inside the building. He said out of approximately 2,500 people over the course of this service, they had about 135 citizens, about 5.5%, who needed to come into the building.

Mr. Richardson said the customer service that was provided under the ambassador tents was done via rotations with County employees that received the needed training from a variety of departments. He said this was an excellent customer service experience, and in some cases, for the employees who do not routinely wait on customers. He said it was a learning opportunity and good Customer Service 101, with citizens coming in and with problem-solving. He said it was very well done.

Mr. Richardson presented a detailed chart to show how many people came in each day to the McIntire Building to pay taxes onsite. He noted there was a steady climb a daily traffic as they approached the June 30 deadline, which was predictable. He said most days, with the exception of the final week, they were able to serve all but one or two people at the front tent ambassador stations. He said the final two days, they had much more entry into the building for a variety of reasons. He said they were trying to move people through as quickly and as safely as possible.

Mr. Richardson said one thing he noted was that much of the entrance to the building were members of the community that may not have a complicated issue but did have language barrier issues. He said staff flagged that issue, worked through it to be able to get materials translated into Spanish, and brought in a phone language assistance service to work with customers who did have language barrier issues.

Mr. Richardson said they learned a lot during the process and were very pleased with how it went. He said they will continue to evaluate it to see what adjustments they can make going into next year.

Mr. Richardson said he also wanted to take an opportunity to talk about a realignment that takes effect that day. He said as the Board knows, Ms. Nelsie Birch is the new Chief Finance Officer. He said she joined the organization several weeks ago, and that week, she transitioned to the responsibilities of CFO. He said it felt like a natural time to make the transition that has been under study for several months, which is the alignment of the Finance and Budget functions.

Mr. Richardson said effective that day, the Department of Finance and Budget will function administratively under the leadership of the CFO. He said their goal is to move to align the technical and strategic responsibilities more closely with Albemarle County's financial management and planning. He said the goal is to optimize customer service and to strength internal processes. He said over time, the hope is that the Board will notice this and see continued improvement.

Ms. Price thanked Mr. Richardson for his presentation, stating that she had absolute confidence in the actions he and County staff are taking to protect everyone. She said she could not ignore, however, that just that week, the head of the CDC expressed concern about the rising increase in cases throughout the United States. She said looking at the charts that show the rate of new infections, since the beginning of June, they have seen a skyrocketing increase across the country.

Ms. Price said while she appreciates the plans that Mr. Richardson and staff have worked very diligently on in protecting employees and visitors, she wanted to express her concern that they will monitor this increase and adjust accordingly, and not simply continue to have open access to the building if it appears that it is greatly increasing or significantly increasing the risk to constituents as well as to staff.

Ms. Mallek said Mr. Richardson had mentioned field sports at the parks taking place beginning at the end of June. She said Albemarle County is called out as a success story amongst organizers of sports places because their parks are closed right now. She said in other parts of the Commonwealth, particularly Virginia Beach, their parks have been open and their cases are skyrocketing because kids are out playing, with their parents hanging around, and no one is following the rules they are supposed to follow. She said hearing that they are planning to follow that bad example at the end of July worries her, and she hoped they would think about this some more.

Ms. Mallek asked what process exists for the County to make its own decision if the state does not take the careful thought that it should take after today. She said the County needs to make sure they are doing the best things for the health of their community, even if Richmond won't. She said she didn't know what those options are, but she hoped that they will be thinking about them, as she is very concerned that without strong leadership, accountability, and requirements, they will not be able to get the kind of compliance they need to succeed in this.

Mr. Gallaway noted there would be opportunity to ask questions or comments on this report, and that Dr. Bonds was now present to give an update on COVID-19.

---

Non-Agenda Item. COVID-19 Update from Thomas Jefferson Health District

Dr. Denise Bonds (Thomas Jefferson Health District Director) said she would provide an update with regard to COVID-19. She said the Board could ask questions throughout, or at the end.

Dr. Bonds said currently, there are 938 cases within the district, and that 94 of those individuals have been hospitalized. She said there have been a total of 22 fatalities.

Dr. Bonds said for Albemarle County, there have been 407 cases, with 31 hospitalizations and 9 fatalities. She said this looks like a lot, looking at the raw numbers. She said looking at the rate, the number of cases per 100,000 individuals, it is 374 for 100,000 cases, 29 hospitalizations, and 8 fatalities. She said all those numbers are per 100,000 individuals.

Dr. Bonds said looking at the demographics of the cases, they continue to see African Americans and Latinos overrepresented. She said 16% of cases are African American, and 33% of the cases are Hispanic or Latino. She said the same is also true for hospitalizations, with 46% of individuals who are hospitalized being self-declared as African American, and with 15% of the hospitalizations being Hispanic or Latino.

Dr. Bonds said with regard to fatalities, 23% of the individuals who died were African American. She said they had no fatalities who they were able to determine were Hispanic or Latinx.

Dr. Bonds said testing continues to be a big concern for everyone. She said the good news is that they have lots of testing available in the community, and for a community of their size, they continue to do well on testing. She said to date, they have had just under 19,000 PCR tests conducted since the start of the epidemic. She said they do see a rising 7-day positivity rate, and that it is currently just under 8% from a low of about 3.5% a few weeks ago.

Dr. Bonds said they are seeing more increases in positive cases. She said she thinks that this is not unexpected, given the fact that they do have more individuals out and about in the community. She said they all know that the Governor has moved them into Phase 3 that day.

Dr. Bonds said the state has set up requirements for testing. She said the requirement is 67 tests per 100,000 individuals per day, with a goal of 134 tests per 100,000 individuals per day. She said the state monitors this by locality, which works out to be about 2-4% of the population tested over a rolling 7-day average. She said the district is definitely meeting the requirements in all of their localities, including Albemarle. She said they are not yet meeting the goals.

Dr. Bonds said there is a testing team that is up and running in the district. She said they have been testing about 3 days a week in various locations and have the capability of doing about 72 tests in a 2-hour time period, which has been very successful.

Dr. Bonds said they are collaborating with Sentara Martha Jefferson and with UVA to provide additional testing in the Charlottesville-Albemarle area. She said the following night, Sentara Martha Jefferson will be having an open testing event in the Washington Park area where individuals can come

and get tested. She said they will have a variety of other health information available. She said UVA is helping in a variety of different settings. She said they just did testing at Southwood earlier that week, and the Health District is working with UVA on other testing events later in the month.

Dr. Bonds said the in-house testing team has been out working about 3 days a week. She said they have done testing events in Albemarle. She said any resident can come to any testing event, and they are not limited to individuals who live in that particular county or neighborhood.

Dr. Bonds said for Albemarle, they have had 110 individuals who declared as Albemarle residents register for one of the testing events. She said 10% of those individuals said they were symptomatic, and 90% did not. She said 67% of the Albemarle residents that attended self-declared as white, while 26% declared as Hispanic or Latino. She said they actually had very few African American individuals attend Albemarle-specific testing events, although overall, about 7% have attended a testing event.

Dr. Bonds said the Health District has wrapped up their staff to be able to do case investigations and contact tracing. She said they are typically able to start an investigation within 24 hours of their notification. She said generally, those are happening at about the same time the individuals are getting their notification. She said as of that day, they have four staff holding leadership positions, supervising, or training new case investigators and contact tracers.

Dr. Bonds said they have 16 individuals who can function as case investigators, and 5 individuals who function as contact tracers. She said this gives them a total of 25 individuals functioning just on the COVID-19 response doing case investigation and contact tracing. She said not all of those individuals work full-time. She said some of them are part-time or cover just the weekend.

Dr. Bonds said they have a goal of about 37 individuals on that team for mid-July and by August, they hope to be up to 49. She said that not all will be full-time, and some will be part-time during the week or covering weekends. She said they are wrapping up August for the return of students at UVA, as they want to be prepared for the influx of individuals coming into the community.

Dr. Bonds said many Supervisors have sent or forwarded on complaints from individuals in the community. She said additionally, these have been received through the central office. She said Albemarle has had a total of 33 complaints of various kinds. She said it has been from individuals and are primarily mask-related. She said some complaints are about space and distancing. She said they involve a mix of retail and restaurants. She said looking at the most frequent ones, they tend to be grocery stores or large big-box types of stores.

Dr. Bonds said when the Health District receives complaints, their first step is to call and try education to see if they can improve compliance. She said they do in-person visits if it is a location that they have had multiple complaints about, or if they have talked to them on the phone before and cannot seem to get them to comply. She said mostly, they see if there is something in-person that they can assist with.

Dr. Bonds said mostly, they try to put the complaints to the agency that has regulatory authority. She said for grocery stores, for example, the Health District does very little regulation of grocery stores. She said there are a few that have a lot of in-house eating. She said for the most part, they pass those off to VDACS because that is where the regulatory authority lies.

Dr. Bonds said for the complaints that were forwarded to the Health District by Mr. Gallaway, they have done investigations and followed up on those.

Dr. Bonds said with Phase 3, they are seeing increased capacity in indoor fitness centers, up to 75%. She said gatherings now have a 250-person limit. She said there is still strong encouragement to telework, and face coverings are still required when individuals are indoors. She said they anticipate they will see many more people out and about. She said they strongly encourage those people that are at high-risk, such as people over the age of 60-65, and people who have comorbidities, such as hypertension, heart disease, or diabetes, to try to limit their activities in groups of people. She said they encourage everyone to wear a cloth face covering indoors, which is required, and outdoors, when with a group of people, will reduce the risk.

Dr. Bonds said if a Supervisor is interested in knowing the number of positive cases for their particular zip code, it is available on the VDH webpage. She said it is not available on their personal webpage, but if they visit VDH Virginia and look under Data Insights, then scroll about halfway down, it allows them to pull up positive results and the number of PCR tests that have happened in a particular zip code. She said if one is interested in if there has been testing happening where they live, or wants to know how many cases, those can be looked up. She said they are cumulative numbers and will not give time-based numbers, but the total numbers since March.

Dr. Bonds said they do look at emergency room encounters and urgent care encounters, discharge diagnosis, and symptoms that the individual reports. She said having the symptoms of COVID-19, the number of encounters in the Emergency Department across the state is 5%, and for the Thomas Jefferson Health District, it is 4%. She said they are tracking just underneath the state. She said for urgent care, 24% of the encounters across the state are COVID-like illness, and in the district, it is 11%. She said in regard to surveillance data, the district is tracking at or below the state level, at that point.

Ms. Price said she was very concerned. She said looking at the CDC data, April 6 was the first

day in the country that they had a daily count of new cases in excess of 40,000. She said while not steady, there was fairly regular decline in cases and it looked as if in America, they were starting to flatten the curve. She said in the last 7 days, however, they have had 5 days nationwide with in excess of 40,000 new infections, and 8 of the 10 highest daily cases have been in the last 10 days, clearly showing a dramatic increase nationwide.

Ms. Price said she recognized that they were dealing only with their Health District, County, and local area, but she would appreciate Dr. Bonds' thoughts because it strikes her that the more they open things up, the greater the risk they are putting their population in.

Dr. Bonds said the national statistics are very sobering. She said she thinks they see a little bit of that happening in Virginia. She said the percent positives of the number of people they have tested has risen somewhat. She said they are testing more people than they were before, but they definitely have lots of people out in the community. She said anyone who drives to work in the morning has noticed a dramatic increase in the number of cars on the road. She said two months ago, there was no one when she stopped by the bank at the Downtown Mall and now, it looks like any summer day.

Dr. Bonds said certainly, people are out and about, and this absolutely puts people at risk. She said they know that if one is inside or with a group of people and not wearing a cloth face covering, the chance of inhaling infected aerosols is higher. She encouraged anyone who is at high risk to stay home and stay out of those crowded places. She said it is a challenge, at this point. She said in some ways, she thinks they are in a better position than they were at the beginning. She said their hospitalization rates are low and at this point, they have adequate Personal Protective Equipment. She said there is testing available, so if anyone wants a test, they can get them tested anywhere.

Dr. Bonds said these are all pluses, but Ms. Price is right that the rising numbers are certainly concerning, and she thinks they have to be watched very closely.

Ms. Palmer asked if there will be antibody testing locally at any time, and what Dr. Bonds' current thought is on the value of that. She said she knew there was concern about giving people a sense of false security.

Dr. Bonds said if one goes to the Health District's webpage, it does have a couple places that will do antibody testing. She said it is a blood test, so Primary Care Providers can draw this with minimal safety concerns. She said it is available in the community, but they are not doing this currently at the Health Department right now, although VDH, the central statewide agency, has been working with large healthcare systems to collect a tube for antibody testing so they can get a better idea of the total prevalence of disease that is available. She said she hasn't gotten an update of where they are on this, but hopefully in the next couple weeks, they will find out.

Dr. Bonds said they still don't have a good idea of whether it is protective or not. She said there is at least one study that exists that shows that the antibodies disappear over time. She said there are other conditions where that doesn't mean that one isn't immune, but they just don't know. She said at this point, if someone wants antibody testing, the Health Department can find a place where they can go to get it, but she doesn't know what the value of it is. She said she still doesn't know if this is the "golden ticket", that one is now immune, or if it just means they were infected.

Dr. Bonds said one does have to be careful about which antibody test it is, so it is worth asking the provider what type they use. She said the FDA has a page that shows how good it is at predicting whether or not one has this disease. She said people should do their homework and if they do turn out to be positive, they should not view it as a means to not adhere to all the other safety information that they are being encouraged to do.

Ms. McKeel said some people are asking about cloth versus disposable masks. She asked Dr. Bonds if they are equivalent, or if one is better than the other.

Dr. Bonds replied that this is a great question, and that there are about as many different types of cloth face coverings as there are types of cloth. She said there have been some early studies to see what the best type of cloth face covering is. She said at this point, probably anything is better than nothing. She said if there are double layers of fabric, this seems to be better than a single layer. She said they are not certified by anyone or regulated in any fashion.

Dr. Bonds encouraged people to find a mask that is comfortable that they feel like they can breathe through, preferably with two layers of fabric. She said other than that, she has trouble recommending something because she does not have any data. She said they know the masks help, and they have some data on that, but they do not have great data on the best kind.

Dr. Bonds said the disposable surgical masks that can be purchased everywhere are probably more consistent in what they will block. She said in a head-to-head comparison with cloth face coverings, they just do not have good data on that. She said they are fine and can be more comfortable for people. She said in some ways, they are better as they usually have a nose clip, meaning one can get a better fit across the nose bridge. She said many of the cloth masks do not have a nose clip, so some aerosol plumes can come out of that area.

Dr. Bonds said the important thing to remember about any of this is that while masks provide the person wearing them a little protection from other people, what one is doing is being a good community

member. She said they are providing more protection for other people in the community because they are keeping the wearer's aerosols back behind that cloth or disposable surgical mask. She said it is really to help protect the community, with a little protection for the wearer.

Ms. McKeel said it seems like the elephant in the room is that as of August 1, the County will start to see students returning to the community. She said by mid- to late-August, UVA will be back in session, although somewhat reduced. She said she gets a lot of emails from people who are very concerned about what will happen in the community when the students come back. She said she was not trying to blame everything on UVA students, but everyone has been 18-21 years old at some point in their lives.

Ms. McKeel asked Dr. Bonds for clarification on if the County could institute regulations or a shutdown more stringent than what the Governor or other communities are doing if they saw a problem and chose to. She asked if this was correct.

Dr. Bonds replied that her understanding is that when Northern Virginia and Richmond asked to delay moving into Phase 1 and perhaps Phase 2, this was a request that they made to the Governor, and he granted. She said she did not know, and that this was a legal question.

Mr. Kamptner said the County Board of Supervisors has separate legal authority to adopt regulations to deal with the spread of contagious diseases. He said they also have the authority to impose quarantines.

Ms. McKeel asked if in August, or even early September, the County saw an uptick and were concerned, they would have the ability to do something locally.

Mr. Kamptner replied they would. He said like with any ordinance, it would have to be supported by evidence and facts. He said at this point, nationwide, that information is out there.

Ms. Mallek said her main question was already well answered. She asked if the Health Department is working with UVA to make sure they are doing what they are supposed to be doing. She asked when all the travelers from wild places where they are having 100% daily increases in cases want to come to the County, how the County can manage that and keep them out. She said Gunnison, Colorado told people not to come, and they have had wonderful success like they did during the Spanish Flu in 1918, where they arrested people who tried to leave and wouldn't let anyone else in. She said the County has not been that forward-thinking.

Ms. Mallek said the anxiety is because they have no real knowledge of what is going to happen, or what they can really do about it. She said this is why people keep asking, and she keeps trying to find answers. She asked Dr. Bonds to please share any answers if she had any.

Dr. Bonds said this is a great point. She said people are very anxious because they do not know what the future holds. She said it has been very stressful for people for the last few months, either because they have had to disrupt their normal routines, or they had other stresses added on top of that. She said there is a lot of financial stress on individuals and some lost their jobs, which all contributes.

Dr. Bonds said there are things that each person can do to keep themselves safer. She said if there is any doubt, don't go out. She encouraged people to stay home, and to wear a cloth face covering if they do have to go out. She said if one is at risk and has to do errands or shopping, to try to pick a time that is going to be lower in volume than it might be at other times. She asked people not to do peak shopping at the grocery store on Saturday morning, but to pick a time when there will be fewer individuals. She encouraged people to visit establishments where they know cloth face coverings are enforced, and that these can be found by doing a Google search.

Dr. Bonds said there are lots of things that individuals can do, as long as everyone remembers that they do have some control over the risk. She said this helps reduce the anxiety. She said people should stay informed, but not spend too much time going down a deep, dark rabbit hole that can be anxiety-inducing if one starts reading nothing but stories related to COVID-19. She encouraged people to keep abreast of the news and look at reliable sources to understand what is going on. She said to remember there are lots of other things still going on in the world, and lots of joy in everyone's lives.

Dr. Bonds said fortunately now that it is summer, people can get out, which is a very safe thing to do if they stay away from big crowds of people. She said exercise and being outdoors is a lovely way to improve one's health and lower anxiety. She said everyone should take a walk if they can.

Mr. Gallaway thanked Dr. Bonds for taking the time to give an update to the Board and answer questions.

Dr. Bonds said she is always happy to come talk, and if there are constituents that have questions or concerns, they should be referred to the Health Department's hotline. She said they are happy to answer, and if they cannot get their answer, they can always call her direct number and she will chat with anyone who wants to.

Mr. Doug Walker said Mr. Ryan McKay was in the meeting on the call. He said although Dr. Bonds is always available, Mr. McKay is the go-to representative at the local Health District and supports the County, EOC, and region. He said he wanted to make sure he introduced Mr. McKay to the Board.



Dr. Bonds said she would be remiss without mentioning Mr. McKay, as he has made it possible for the Health District to make it through. She said if she is ever unavailable, he can answer questions, and possibly better than she can.

---

Agenda Item No. 14. Closed Meeting.

At 5:02 p.m., Ms. LaPisto-Kirtley **moved** that the Board went into a Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia:

- Under Subsection (1), to discuss and consider appointments to the Jefferson-Madison Regional Library Board, the Piedmont Virginia Community College Board, the Board of Building Code Appeals and the Fire Prevention Appeals Board, and three County committees; and
- Under Subsection (7), to consult with legal counsel and briefings by staff members pertaining to:
  1. Probable litigation between the Board of Supervisors and a County business owner related to an agreement; and
  2. Probable litigation related to a claim arising from damage to private property.

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.

---

Agenda Item No. 15. Certify Closed Meeting.

At 6:02 p.m., Ms. LaPisto-Kirtley **moved** that the Board 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.

---

Agenda Item No. 16. Boards and Commissions.

Item No. 16. a. Vacancies and Appointments.

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

- **APPOINTED** Ms. Diane Grieder to the 5<sup>th</sup> & Avon Community Advisory Committee, to fill an unexpired term ending September 30, 2021.
- **REAPPOINTED** Ms. Elizabeth Russell to the Historic Preservation Committee to fill an unexpired term ending June 4, 2023.
- **REAPPOINTED** Mr. Jared Loewenstein to the Historic Preservation Committee, with said term to expire June 4, 2023.
- **REAPPOINTED** Mr. Doug Lowe to the Local Board of Building Code Appeals/ Fire Prevention Code Appeals Board, with said term to expire on November 21, 2024.
- **REAPPOINTED** Mr. Frederick Huckstep to the Local Board of Building Code Appeals/ Fire Prevention Code Appeals Board, with said term to expire on November 21, 2024.
- **APPOINTED** Ms. Kathryn Mallek to the Natural Heritage Committee, to fill an unexpired term ending September 30, 2023.
- **APPOINTED** Mr. Richard Hiss to the Pantops Community Advisory Committee, with said term to expire on June 30, 2022.
- **REAPPOINTED** Ms. Alfreda Morris to the Piedmont Virginia Community College Board, with said term to expire on June 30, 2024.
- **APPOINTED** Mr. Russell Madison Cummings to the Piedmont Virginia Community College Board, with said term to expire on June 30, 2024.
- **APPOINTED** Ms. Patricia Rooney-Knowlton to the Piedmont Virginia Community College Board, with said term to expire on June 30, 2024.
- **REAPPOINTED** Ms. Jane Fogleman to the Places 29 (Hydraulic) Community Advisory Committee, with said term to expire on August 5, 2022.
- **REAPPOINTED** Mr. John Lewis to the Places 29 (Hydraulic) Community Advisory Committee, with said term to expire on August 5, 2021.
- **APPOINTED** Ms. Victoria Tremaglio Lewis to the Places 29 (Hydraulic) Community Advisory Committee, with said term to expire on August 5, 2022.
- **REAPPOINTED** Ms. Barbara Barrett to the Region Ten Community Services Board with,

- said term to expire on June 30, 2023.
- **APPOINTED** Ms. Janelle Cockrell to the Rivanna River Corridor Project with said term to expire on June 30, 2022.
  - **APPOINTED** Ms. Navarre Bartz to the Solid Waste Alternatives Advisory Committee with said term to expire on May 31, 2024.
  - **APPOINTED** Ms. Teri Kent to the Solid Waste Alternatives Advisory Committee with said term to expire on May 31, 2024.

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

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

Mr. Gallaway **moved** that the Board authorize the County Executive, with the advice and recommendation of the County Attorney, to settle the probable litigation that was the subject of the closed meeting discussion.

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

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

Mr. Gallaway asked if only one motion was needed.

Mr. Kamptner replied yes, and that motion covered both items

Agenda Item No. 17. From the Public: Matters Not Listed for Public Hearing on the Agenda or on Matters Previously Considered by the Board or Matters that are Pending Before the Board.

There were none.

Agenda Item No. 18. **Public Hearing – FY 2021 Budget Amendment and 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 cumulative total of the FY 2021 appropriations itemized below is \$95,256,181.89. Because the cumulative amount of the appropriations exceeds one percent of the currently adopted budget, a budget amendment public hearing is required.

The proposed increase of this FY 2021 Budget Amendment totals \$95,256,181.89. The estimated expenses and revenues included in the proposed amendment are shown below:

**PROPOSED FY 2020-21 BUDGET AMENDMENT**

<u>ESTIMATED REVENUES</u>	
Local Revenues	\$ 13,783,803.63
Other Fund Balances	\$ 81,472,378.26
TOTAL ESTIMATED REVENUES	<u>\$ 95,256,181.89</u>
<u>ESTIMATED EXPENDITURES</u>	
Special Revenue Funds	\$ 1,306,415.16
Emergency Communications Center	\$ 15,052,044.43
Capital Projects	\$ 78,897,722.30
TOTAL ESTIMATED EXPENDITURES	<u>\$ 95,256,181.89</u>

The budget amendment is comprised of five (5) separate appropriations: #2021001, #2021002, #2021003, #2021004 and #2021005.

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

\* \* \* \* \*

**Appropriation #2021001** **\$1,306,415.16**

Source: Albemarle Broadband Authority (ABBA) Fund fund balance \$1,306,415.16

This request is to re-appropriate \$1,306,415.16 in ABBA Fund fund balance from FY 20 to FY 21. The goal of ABBA is to extend affordable broadband internet service access to every customer in Albemarle County. The County serves as the fiscal agent for ABBA.

**Appropriation #2021002** **\$78,597,722.30**

This request is to appropriate \$78,597,722.30 as described in the Resolution for the County's On-Going Multi-Year Capital Projects (Attachment B). This total is the remaining balance (net of transfers between capital funds) for both the encumbered purchase orders and contracts and the remaining unencumbered special revenue project and capital project funds.

**Appropriation #2021003** **\$15,052,044.43**

Source: Local Revenue \$ 13,783,803.63  
ECC Fund Balances \$ 1,268,240.80

The Emergency Communication Center (ECC) requests that the County, acting as fiscal agent for the ECC, re-appropriate the following items. The following amounts reflect current FY 20 balances and any necessary adjustment to these balances in FY 21 based on FY 20 year-end reconciliation will be requested through a subsequent appropriation in the fall of 2020.

Re-appropriate the following items from FY 20 to FY 21, funded by ECC fund balance:

- \$415,962.80 to upgrade information technology infrastructure at the ECC's primary and backup locations;
- \$343,828.00 to complete the purchase of electronic protocols;
- \$300,000.00 for the console and dispatch floor replacement project;
- \$101,000.00 for replacement computers and associated hardware at the ECC's primary and backup locations;
- \$50,000.00 for the conversion, renovation, and painting of existing interior office space;
- \$20,000.00 for repair and replacement of existing HVAC system components; and
- \$7,900.00 for employee training.

Re-appropriate the following ECC capital project from FY 20 to FY 21, funded by ECC capital project fund balance:

- \$49,550.00 for the 800 MHZ Radio Augmentation Project, which provides system coverage enhancements and replacement of equipment for 800 MHz radio system users.

Re-appropriate the following ECC capital projects from FY 20 to FY 21, funded based on the following partner shares:

- \$493,133.08 for the Public Safety Computer Aided Dispatch (CAD) Technology Project, which supports the replacement of multiple outdated computer systems for all public safety agencies within the City, County and University. The project is funded by the following partner shares:
  - County of Albemarle – 47.10%
  - City of Charlottesville – 39.77%
  - University of Virginia – 13.13%.
- \$13,290,670.55 for the Regional 800 MHz Communications System Project, which supports the replacement and upgrade of the infrastructure for the regional 800 MHZ Public Safety Radio System. The project is funded by the following partner shares:
  - County of Albemarle – 51.1%
  - City of Charlottesville – 25.2%
  - University of Virginia – 15.9%
  - Charlottesville/Albemarle Airport – 2.4%
  - Rivanna Water & Sewer Authority – 2.4%
  - Albemarle County Service Authority – 2.0%
  - Albemarle Charlottesville Regional Jail – 1.0%

**Appropriation #2021004** **\$300,000.00**

Source: General Government Capital Fund Fund Balance \$300,000.00

This request is to appropriate \$300,000.00 for a parking expansion project for the County Office Building on Fifth Street. This funding is being repurposed from the Voter Registration Relocation Capital Project that is no longer necessary per the FY 21 Budget Development Process. The County Office Building on Fifth Street has insufficient parking capacity to meet demands for employees, visitors, and mobile equipment, and to meet state requirements to provide in-person voting at the Office of the Voter Registrar. The project scope may include the development of an additional parking area on site or may include the development of a secure parking facility off-site on existing County-owned property for Albemarle County Police Department (ACPD) and the Albemarle County Fire Rescue (ACFR) mobile equipment, which would essentially free up parking at the Fifth Street facility for other uses.

**Appropriation #2021005** **\$0.00**

Source:	Regional Public Safety Agency Contributions*	\$	61,242.00
---------	--	----	-----------

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

This request is to appropriate the below amounts from the listed regional public safety agencies to the County's budgeted projected personnel savings, which is an amount budgeted for savings from vacant positions that are to be "frozen," but have not yet been identified. These agency savings are primarily personnel-related due to revised health insurance projections. The following adjustments reflect the County's revised share of operating costs for these regional public safety agencies based on the approved agencies' budgets, which were finalized after the development of the County's FY 21 budget.

- Albemarle Charlottesville Regional Jail: \$32,711
- Blue Ridge Juvenile Detention Center: \$21,172
- Emergency Communications Center: \$7,359

---

Mr. Andy Bowman, Budget Manager, presented. He said this item is a public hearing and action item on FY 21 budget amendment and appropriations, and that staff has some brief comments.

Mr. Bowman said the Virginia Code requires that a public hearing is required before amending the budget if the amount of funds in the amendment exceeds 1% of the currently adopted budget. He said this was the case that evening, as the proposed FY 21 budget amendment is an increase of approximately \$95.3 million.

Mr. Bowman said he would explain why on the first day of the fiscal year, there would be such a large budget amendment. He said this is a new process they are beginning this year, where they are beginning the reappropriation of the projects that were approved in FY 20 or even a prior year, and moving that from the prior year to the current year, FY 21. He said the bulk of the \$95 million is made up of reappropriating funds related to ongoing capital projects, items for the Emergency Communications Center, and the Albemarle Broadband Authority. He said these are not the only items in the appropriation, but the largest amount. He said Attachment A includes all the details in the appropriations for the Board's approval that night.

Mr. Bowman said he will make two additional comments on capital projects. He said the carry-forward for their funding of capital projects was developed in the context of their "3-6-6" framework in the budget staff has been sharing with the Board since March, at the start of the COVID-19 pandemic. He said they will be looking at the capital budget and longer-range capital plan in more detail that fall, as they revisit that.

Mr. Bowman said also this fall, leading to his second comment on capital projects, this is really a two-step process to carry projects forward from one year to the next. He said currently in the summer, they are actively in FY 21 and working through the close of FY 20 as invoices are continued to be received and paid. He said there is a process that is underway, and once they have certainty after Finance closes FY 20 and there is a reconciliation of all project balances, he will be back before the Board that fall with any adjustments that need to happen to reflect those balances as they end up in the year. He said the first step of appropriation allows that work to continue in the meantime.

Mr. Bowman offered to answer questions. He said after the public hearing, staff would recommend the Board adopt the resolutions (Attachments B and C).

Ms. Mallek said she was originally concerned about the size of the extra money being kept by ECC and worried about whether there has actually been adequate work on how it was going to be spent. She said there still seems to be some breakdowns of very large bundles of money, so she would rely on senior staff to make sure that this is spent carefully. She said it troubles her that \$1.6 million is a lot of money. She said that is why she was concerned about them holding it. She said if staff had comments, she would be glad to know them.

Mr. Bowman said they do have on the call Mr. Sonny Saxton, Executive Director of the ECC, who could speak to specific questions if additional details are requested.

Mr. Saxton said he appreciated the comments Ms. Mallek had regarding the bulk of \$1.6 million. He said this is broken down into separate items, with justifications for those. He said it was likely too much detail to go through on the call, but that he was available to do that. He said this could be provided over time.

Mr. Saxton said there is a second form of review and transparency on the monies being spent that occurs with the ECC Board. He said the County of Albemarle has a presence on that board, as well as the other partners. He said any money spent or budget that the ECC then requests the County, as its fiscal agent, to appropriate would go under review and approval from the board.

Mr. Gallaway opened the public hearing. Hearing no comments, he closed the public hearing and brought the matter back to the Board for additional questions, comments, or a motion.

Ms. McKeel **moved** that the Board adopt the attached resolutions (Attachments B and C) to approve the appropriations for local government and school projects, and programs as described in Attachment A. 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.

**RESOLUTION TO APPROVE  
ADDITIONAL FY 2021 APPROPRIATIONS**

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

- 1) That the FY 21 Budget is amended to increase it by \$95,256,181.89;
- 2) That Appropriations #2021001; #2021002; #2021003; #2021004; and #2021005 are approved; and
- 3) That the appropriations referenced in Paragraph #2, above, are subject to the provisions set forth in the Annual Resolution of Appropriations of the County of Albemarle for the Fiscal Year ending June 30, 2021.

APP#	Account String	Description	Amount
2021001	3-4300-51000-351000-510100-9999	SA2021001 Re-appropriate Fund Balance	\$1,306,415.16
2021001	4-4300-91097-491097-130000-1008	SA2021001 Re-appropriate Fund Balance	\$3,715.00
2021001	4-4300-91097-491097-210000-1008	SA2021001 Re-appropriate Fund Balance	\$285.00
2021001	4-4300-91097-491097-950030-9999	SA2021001 Re-appropriate Fund Balance	\$1,302,415.16
2021002	3-9000-69000-351000-510100-6599	SA2021002 FY 21 Carry Forward Schools-All Projects	-\$41,088,552.74
2021002	3-9000-69000-351000-512090-6599	SA2021002 FY 21 Carry Forward Schools-Borrowed Proc. Trsf.	\$74,746,546.00
2021002	4-9000-91040-491040-999999-6599	SA2021002 FY 21 Carry Forward Schools-All Projects	\$33,657,993.26
2021002	3-9010-51000-351000-510100-9999	SA2021002 FY 21 Carry Forward Local Govt-All Projects	\$119,790,590.40
2021002	4-9010-91040-491040-999999-9999	SA2021002 FY 21 Carry Forward Local Govt-All Projects	\$160,782,521.39
2021002	4-9010-93010-493010-930004-9999	SA2021002 FY 21 Carry Forward Local Govt-Borrowed Proc. Trsf.	-\$41,088,552.74
2021002	4-9010-93010-493010-930202-9999	SA2021002 FY 21 Carry Forward Local Govt-Borrowed Proc. Trsf.	\$96,621.75
2021002	3-9100-51000-351000-510100-9999	SA2021002 FY 21 Carry Forward Water Res.-All Projects	-\$328,674.25
2021002	3-9100-51000-351000-512090-9999	SA2021002 FY 21 Carry Forward Water Res.-Borrowed Proc. Trsf.	\$425,296.00
2021002	4-9100-91040-491040-999999-9999	SA2021002 FY 21 Carry Forward Water Res.-All Projects	\$96,621.75
2021002	3-9011-51000-351000-510100-9999	SA2021002 FY 21 Carry Forward - Belvedere Bond Default	\$221,248.00
2021002	4-9011-91000-491000-940080-9999	SA2021002 FY 21 Carry Forward - Belvedere Bond Default	\$221,248.00
2021002	3-9023-51000-351000-510100-9999	SA2021002 FY 21 Carry Forward - Stillhouse Bond Default	\$3,110.89
2021002	4-9023-91000-491000-940070-9999	SA2021002 FY 21 Carry Forward - Stillhouse Bond Default	\$3,110.89
2021003	3-4100-51000-351000-510100-9999	SA2021003 ECC Re-app: Various 7/1 items	\$1,218,690.80
2021003	4-4100-31040-435600-550100-1003	SA2021003 ECC Re-app: Training	\$7,900.00
2021003	4-4100-31040-435600-800301-1003	SA2021003 ECC Re-app: Computer/hardware replacement	\$101,000.00
2021003	4-4100-31040-435600-800712-1003	SA2021003 ECC Re-app: Electronic Protocols	\$343,828.00
2021003	4-4100-31040-435600-800700-1003	SA2021003 ECC Re-app: IT Infrastructre upgrade	\$415,962.80
2021003	4-4100-31040-435600-331800-1003	SA2021003 ECC Re-app: Space conversion, renovation, painting	\$50,000.00
2021003	4-4100-31040-435600-800201-1003	SA2021003 ECC Re-app: Console and Dispatch Floor Replacement Project	\$300,000.00
2021003	3-4110-51000-351000-510100-9999	SA2021003 ECC-repp: 800 MHZ Radio Augmentation Project	\$49,550.00
2021003	4-4110-31060-435600-300204-1003	SA2021003 FCC Licences	\$250.00
2021003	4-4110-31060-435600-312105-1003	SA2021003 SA2021003 Consultant Services	\$3,096.43
2021003	4-4110-31060-435600-800150-1003	SA2021003 SA2021003 Labor and Installation	\$10,000.00
2021003	4-4110-31060-435600-800305-1003	SA2021003 Radio System Equipment	\$36,203.57
2021003	4-4117-31061-435600-312710-1003	SA2021003 Computer Support (Software)	\$15,061.21
2021003	4-4117-31061-435600-332100-1003	SA2021003 Maintenance Contracts	\$21,695.03
2021003	4-4117-31061-435600-550100-1003	SA2021003 Travel Expenses	\$4,107.42
2021003	4-4117-31061-435600-800150-1003	SA2021003 Labor & Installation (Schools)	\$100,000.00

2021003	4-4117-31061-435600-800700-1003	SA2021003 Technology Equip (Hardware)	\$193,900.18
2021003	4-4117-31061-435600-999996-1003	SA2021003 Escrow	\$9.33
2021003	4-4117-31061-435600-999999-1003	SA2021003 Contingency	\$158,359.91
2021003	3-4117-19000-319000-160503-9999	SA2021003 County of Albemarle	\$232,265.68
2021003	3-4117-19000-319000-160502-9999	SA2021003 City of Charlottesville	\$196,119.03
2021003	3-4117-19000-319000-160512-9999	SA2021003 University of Virginia	\$64,748.37
2021003	4-4110-31058-435600-950185-1003	SA2021003 Regional 800 MHz Communications System Project	\$13,290,670.55
2021003	3-4110-19000-319000-160503-9999	SA2021003 County of Albemarle	\$6,791,532.65
2021003	3-4110-19000-319000-160502-9999	SA2021003 City of Charlottesville	\$3,349,248.98
2021003	3-4110-19000-319000-160512-9999	SA2021003 University of Virginia	\$2,113,216.62
2021003	3-4110-19000-319000-160534-9999	SA2021003 Charlottesville/Albemarle Airport	\$318,976.09
2021003	3-4110-19000-319000-160627-9999	SA2021003 RWSA	\$318,976.09
2021003	3-4110-19000-319000-160633-9999	SA2021003 ACSA	\$265,813.41
2021003	3-4110-19000-319000-181314-9999	SA2021003 ACRJ	\$132,906.71
2021005	4-1000-33020-433020-700002-1003	SA2021005 ACRJ savings to TBD Personnel Savings	-\$32,711.00
2021005	4-1000-39001-439000-563400-1003	SA2021005 BRJDC savings to TBD Personnel Savings	-\$21,172.00
2021005	4-1000-35600-435600-700001-1003	SA2021005 ECC savings to TBD Personnel Savings	-\$7,359.00
2021005	4-1000-99900-499000-999975-9999	SA2021005 ACRJ, BRJDC, ECC savings to TBD Personnel Savings	\$61,242.00
2021004	4-9010-13020-413020-800675-1170	SA2021004: COB 5th Parking, Early Voting	\$300,000.00
2021004	3-9010-51000-351000-510100-9999	SA2021004: COB 5th Parking, Early Voting	\$300,000.00

**Resolution to Appropriate FY 21 On-going Funding of Multi-Year Capital Projects  
For the Fiscal Year Ending June 30, 2021  
Appropriation # 2021002**

**Whereas**, purchase orders and contracts encumbered at the end of the fiscal year must be carried over into the next year for payments; and

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

**Whereas**, the encumbrances and estimated remaining unencumbered capital project balances and special revenue project balances will give the responsible departments and agencies continuous access to project funding; and

**Whereas**, the total amount of estimated encumbrances and unencumbered capital project balances and special revenue project balances, net of transfers, is \$78,597,722.30 set forth as follows:

**Total School Division Capital Improvement Fund:**

<u>School Division Capital Improvement Fund Appropriations</u>	
Administrative Technology	\$117,983.72
Charlottesville-Albemarle Technical Education Center (CATEC)	
Contingency	\$144,700.00
Crozet Elementary Addition Design	\$1,091,966.58
High School Capacity & Improvement Modernization	\$75,693.07
High School Capacity Improvements - Center #2 (Design)	\$1,953,767.00
Instructional Technology	\$579,452.95
Learning Space Modernization	\$8,350.04
Learning Space Modernization 2016 Referendum Project	\$473,804.33
Red Hill Elementary Phase 2: Additions & Improvements	\$5,868,144.51
School Bus Replacement Program	\$1,565,555.54
School Maintenance/Replacement Program	\$8,183,736.11
School Security Improvements Program	\$4,395.00
Scottsville Elementary School Addition & Improvements	\$10,613,575.52
State Technology Grant	\$686,902.56
Telecommunications Network Upgrade	\$1,392,102.70
Western Albemarle High School Environmental Studies Academy	
Phase 2	\$897,863.63
Total School Division Capital Improvement Fund Appropriations	\$33,657,993.26

School Division Capital Improvement Fund Sources

Revenue from Local Sources (Other Transfers)	\$74,746,546.00
Use of Fund Balance	(\$41,088,552.74)
Total School Division Capital Improvement Fund Sources	\$33,657,993.26

\* \* \* \* \*

**Total General Government Capital Improvement Fund:**

General Government Capital Improvement Fund Appropriations

Acquisition of Conservation Easements (ACE) Program	\$313,950.00
Advancing Strategic Priorities	\$3,566,299.00
Berkmar Bike Ped Improvements	\$2,890,026.00
Biscuit Run Park	\$340,778.50
City-County Owned Facilities Maintenance/Replacement	\$689,302.12
City-County Owned Parks Maintenance/Replacement	\$138,393.51
Cost of Issuance	\$1,993,800.80
County Office Building McIntire Windows Replacement (Design)	\$2,887.30
County-Owned Facilities Maintenance/Replacement	\$1,173,745.00
County Owned Parks Maintenance/Replacement	\$879,615.64
County Server Infrastructure Upgrade	\$296,783.47
Court Facilities Addition/Renovation	\$5,330,405.99
Eastern Avenue Bridge Preliminary Study	\$272,736.88
Emergency Communications Center (ECC) Integrated Public Safety Technology Project Computer Aided Dispatch (CAD)	\$411,844.95
ECC Regional 800 MHz Communication System	\$6,809,520.99
Fire Rescue Apparatus Replacement Program	\$3,902,329.02
Fire Rescue Burn Building Training Center	\$6,771.00
Fire Rescue Mobile Data Computers Replacement	\$119,626.16
Fire Rescue Station Alerting System Replacement	\$610,733.64
Geographic Information Systems (GIS) Project	\$118,081.69
Ivy Recycling Convenience Center	\$350,000.00
Keene Landfill	\$10,000.00
Neighborhood Improvements Funding Initiative (NIFI) - Albemarle-Jouett-Greer	\$577,927.24
NIFI – Mountain View Elementary School	\$451,808.47
NIFI – Greenbrier	\$161,395.83
NIFI - Rivanna Greenway Stabilization	\$26,587.42
NIFI - The Square	\$1,431,184.67
NIFI Contingency Fund	\$159,507.71
Office of Voter Registration Relocation (Closeout)	\$19,275.00
Pantops Public Safety Station	\$202,159.02
Parks Restroom Renovation/Modernization	\$17,169.89
Pilot Fundraising Parks Project	\$11,311.03
Police County 800 MHz Radio Replacements	\$23,351.48
Police Evidence Processing and Specialty Vehicle Storage	\$41,236.00
Police Mobile Data Computers Replacement	\$82,089.25
Police Patrol Video Cameras Replacement	\$78,595.00
Sidewalk Program Contingency	\$126,083.89
Sidewalk, Commonwealth & Dominion Drive	\$3,221,777.62
Sidewalk, Ivy Road (US Route 250 West)	\$1,722,998.63
Sidewalk, Rio Rd. Avon St. Rt 250	\$3,002,704.82
Time and Attendance System	\$180,485.77
Transfer to School Capital Improvements Program (CIP)-Borrowed Proceeds	\$74,746,546.00
Transfer to Water Resources CIP-Borrowed Proceeds	\$425,296.00
Transportation Revenue Leveraging Program	\$2,600,132.00
Volunteer Facilities Maintenance Program Pilot	\$253,336.00
Total General Government Capital Improvement Fund Appropriations	\$119,790,590.40

General Government Capital Improvement Fund Sources

Use of Fund Balance	\$119,790,590.40
Total General Government Capital Improvement Fund Sources	\$119,790,590.40

**Total Water Resources Capital Improvement Fund:**

Water Resources Capital Improvement Fund Appropriations

Drainage Infrastructure Maintenance/Repair Program	\$43,439.19
Water Quality Non-Mandated Total Maximum Daily Load (TMDL) Program	\$53,182.56
Total Water Resources Capital Improvement Fund Appropriations	\$96,621.75

Water Resources Capital Improvement Fund Sources

Revenue from Local Sources (Other Transfers)	\$425,296.00
Use of Fund Balance	(\$328,674.25)
Total Water Resources Capital Improvement Fund Sources	\$96,621.75

**Total Belvedere Bond Default Project Fund:**

Belvedere Bond Default Project Fund Appropriations

Belvedere Bond Default Project	\$221,248.00
Total Belvedere Bond Default Project Fund Appropriations	\$221,248.00

Belvedere Bond Default Project Fund Sources

Use of Fund Balance	\$221,248.00
Total Belvedere Bond Default Project Fund Sources	\$221,248.00

\* \* \* \* \*

**Total Stillhouse Bond Default Project Fund:**

Stillhouse Bond Default Project Fund Appropriations

Stillhouse Ridge Default Bond Project	\$3,110.89
Total Stillhouse Ridge Default Bond Project Fund Appropriations	\$3,110.89

Stillhouse Bond Default Project Fund Sources

Use of Fund Balance	\$3,110.89
Total Stillhouse Bond Default Project Fund Sources	\$3,110.89

\* \* \* \* \*

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

**Whereas**, a properly advertised public hearing was held on July 1, 2020 on the proposed amendment to the FY 21 Budget and all citizens who asked to speak were heard.

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

1. Does hereby budget and appropriate the year-to-date estimated remaining balance of \$78,597,722.30 for encumbered purchase orders and contracts and the unencumbered capital and special revenue project balances of June 30, 2020, as set forth above; and
2. Does hereby authorize the County Executive to adjust this amount downward, if necessary, to accurately reflect the actual encumbered amounts and actual unencumbered capital and special revenue project amounts at the end of FY 20; and
3. Does hereby authorize the County Executive to close out a Capital project and transfer any unencumbered residual funds to the Capital Improvement Fund fund balance.

This resolution shall become effective on July 1, 2020.

\_\_\_\_\_



Agenda Item No. 19. **Public Hearing – SP201900011 Malloy Ford Outdoor Sales/Storage/Display.**

PROJECT: SP201900011 Malloy Ford

MAGISTERIAL DISTRICT: Rio

TAX MAP/PARCEL: 045000000068A0, 045000000112B1 (part)

LOCATION: 2060 Seminole Trail

PROPOSAL: Establish outdoor storage/display/sales of vehicles on approximately 2 acres

PETITION: Outdoor storage, display and/or sales serving or associated with a permitted use within the Entrance Corridor Overlay under Section 30.6.3.a.2.b of zoning ordinance. No dwelling units proposed.

ZONING: HC Highway Commercial – commercial and service; residential by special use permit (15 units/acre); EC Entrance Corridor Overlay District – overlay to protect properties of historic, architectural or cultural significance from visual impacts of development along routes of tourist access. AIA Airport Impact Area: Yes

COMPREHENSIVE PLAN: Commercial Mixed Use – commercial, retail, employment uses, with supporting residential, office, or institutional uses in Neighborhood 1 – Places 29.

The Executive Summary forwarded to the Board states that, at its meeting on May 12, 2020, the Planning Commission voted unanimously (7:0) to approve the special use permit, with conditions. Attachments A, B, and C contain the staff report, action letter, and minutes from the May 12, 2020 Planning Commission meeting.

At the Planning Commission meeting, Commissioners discussed the potential impacts of the illumination of the site on the corridor and on the Carrsbrook neighborhood. Some Commissioners suggested that the parking lot lights should be turned off or dimmed after close of business, some voiced concerns about the impacts of reduced illumination on safety and security on site, and some were concerned about equal treatment of similar uses along the corridor. During the discussion, it was noted that some vehicle display lots on the Route 29 corridor have very bright lighting. Some of these lots predate zoning and/or the establishment of the Entrance Corridors (ECs) and have non-conforming lighting that does not meet current requirements for downlighting and exceeds the maximum illumination levels allowed within the Entrance Corridors. The Commission asked staff to make the Board of Supervisors aware of the lighting issues with the understanding that several Commissioners were concerned because of the proximity to an existing residential neighborhood and the cumulative impact of existing lighting in the corridor.

During the PC meeting, staff stated that there have been previous special use permits (SPs) with conditions for turning lights off at a certain time, or for reducing the level of illumination at certain times. These specific conditions are limited to very few SPs. The recent UVA Tennis approval (SP-2017-32) included a condition requiring the dimming of lights after televised nighttime play, and a recent approval for the Regents School (SP-2018-11) included a condition requiring no field lighting after 10 PM. Typically, approvals have not required the dimming or extinguishing of lighting for display uses or commercial parking lots. Other lighting conditions have typically been applied to sports field lighting. Many approvals for field lighting limit lighting altogether or limit pole height and/or fixture type. Also, supplemental regulations in the Zoning Ordinance limit the hours of amplified music for special events (5.1.25(e)(4)) and for religious assembly uses in the rural areas (5.1.64(b)(2)), which could indirectly limit lighting, and EC Guidelines provide for the dimming of electronic message signs and LED gas pricing signs from dusk to dawn.

Staff has discussed the reduced illumination issue with the applicant, who has stated that reduced illumination is a significant security concern. The applicant reports that even with current lighting levels at the existing Malloy site (which are less than some non-conforming sites on the corridor), theft and vandalism occur regularly. The applicant believes the theft and vandalism will increase if lighting levels are further reduced.

The current condition limiting lighting levels to 22.8 footcandles (fc) at the ground would meet EC Design Guidelines and is consistent with the existing Malloy Ford site that is adjacent to the north. Staff notes that future lighting ordinance updates could address appropriate maximum levels of illumination, as well as requirements for bringing non-conforming lighting into compliance.

A few non-substantive changes have been made to the conditions for consistency and clarification purposes.

The Planning Commission recommends that the Board adopt the Resolution (Attachment D) approving SP201900011.

---

Ms. Margaret Maliszewski, Principal Planner, said she was presenting a Special Use Permit for outdoor sales, storage, and display in the Entrance Corridor.

Ms. Maliszewski said the property in question is the site of the former Better Living Furniture Store, located at 2060 Seminole Trail. She said a small portion of the parcel immediately to the south is also included in this request. She said these parcels are located just south of the recently renovated Malloy Ford auto dealership, where outdoor display was approved in 2016.

Ms. Maliszewski said the Special Use Permit is required specifically because the site falls within

the Entrance Corridor Overlay District. She said although the Special Permit is required, the sales/storage/display use is considered accessory to motor vehicle sales. She said motor vehicle sales is permitted by-right use in the Highway Commercial Zoning District. She said to be clear, it is not the general motor vehicles sales use that is under consideration that evening but is specifically the outdoor sales and display.

Ms. Maliszewski said the purpose of requiring a Special Permit for this use is to allow for review of the potential visual impacts on the Entrance Corridor. She said the intent of the Entrance Corridor Overlay District is to ensure quality of development that is compatible with the County's important scenic, historic, architectural, and cultural resources. She said the County has Entrance Corridor design guidelines that have been adopted to help meet that intent, and the Architectural Review Board has applied those guidelines to the review.

Ms. Maliszewski said the applicant proposes to establish a paved parking lot in the area of the showroom portion of the Better Living Furniture building. She said the rear warehouse portion of the building [inaudible] body shop operations. She said when the application was first submitted, the furniture showroom building was still standing. She said the demolition of the structure is now complete.

Ms. Maliszewski presented the applicant's concept plan, which shows parking and landscaping where the showroom previously stood. She said the proposed landscaping is consistent with the Entrance Corridor landscape guidelines for parking lots, and with the landscaping approved on the Malloy Ford site to the north.

Ms. Maliszewski said the Architectural Review Board's review of the proposal resulted in a recommendation of no objection, with conditions. She said those conditions are related primarily to the location of parking, the method of display, and the landscaping and lighting. She said they are standard conditions for this type of use.

Ms. Maliszewski said the Planning Commission reviewed this proposal on May 12. She said part of the Commission's discussion was focused on the potential impacts of the lighting of the site on the corridor and the Carrsbrook neighborhood. She said some Commissioners suggested that the parking lot lights should be turned off or dimmed after close of business, and others were concerned that this might create a safety or security issue onsite.

Ms. Maliszewski said some Commissioners noted that there are some vehicle display lots on the Route 29 corridor that have very bright lighting. She said some Commissioners noted concern about equal treatment of similar uses.

Ms. Maliszewski noted that some of these developments predate zoning and/or establishment of the Entrance Corridors, and there are some sites that have nonconforming lighting that do not meet current requirements.

Ms. Maliszewski said there are a few Special Permits that have conditions of approval that require lights to be turned off at a certain time, but those are typically related to sports lighting, which is not a standard condition of approval for the outdoor display use.

Ms. Maliszewski said after asking staff to alert the Board to these lighting concerns, the Commission voted unanimously to recommend approval of the application with the conditions that were outlined in the staff report.

Ms. Maliszewski said she had motions available and offered to answer questions.

Ms. LaPisto-Kirtley asked if the Planning Commission set limits regarding the lighting. She said she was not anxious to add to the outdoor lighting effect in the evening, after hours, just because someone else has it. She said Ms. Maliszewski said there are other businesses that are nonconforming. She asked if this means they could be brought into conformance, or if they are grandfathered in.

Ms. Maliszewski replied that the sites she was referring to would be considered as grandfathered. She said the Planning Commission did not recommend any change to the condition as it was listed in the staff report. She said currently, the recommendation is to limit the maximum illumination to 22.8 footcandles, which is consistent with what is on the adjacent Malloy site immediately to the north.

Ms. LaPisto-Kirtley asked if staff's and the Planning Commission's recommendation is to not let that exceed what is currently available. She asked if the lighting is a downward-facing lighting, as is called for in many other places.

Ms. Maliszewski replied that the parking lot lights there would be the standard shoebox style light that is a downward-oriented illumination.

Ms. LaPisto-Kirtley said she knows they said they did not want to go to turning off the lights in the evening. She asked if there is a way to dim the lights in the evening so as not to have the outdoor lighting in the skies.

Ms. Maliszewski replied that there is a technical ability to dim lights. She said this is not what the applicant wants to do and is not what the Planning Commission said should be done. She said there was discussion about the possibility of doing that, but they did not recommend that as a condition. She said

they asked staff to make the Board aware of the issues.

Ms. LaPisto-Kirtley asked if the Planning Commission asked the Board to be aware of the issues but did not come up with a recommendation.

Ms. Maliszewski replied that this was correct. She said they did not change any of the recommended conditions of approval as they were listed in the staff report.

Ms. Price said her questions largely follow Ms. LaPisto-Kirtley's. She said she clearly understands the desire and would even go so far as to say necessity, of an automobile dealership being able to keep lights on at night. She said it is a high-value concentration of vehicles that unfortunately sometimes are subject to vandalism and other criminal mischief. She said she does understand this.

Ms. Price said she would hold off and listen to some of the other Supervisors who have more experience in terms of this particular type of development and in terms of the lighting aspect. She said she knows that in a previous application that was before the Board, they talked about full cutoff and different lights that avoid the upward flow of the light pollution and other things.

Ms. Palmer said along those same kinds of lines, she read through the Planning Commission's minutes and saw that they had asked for staff to bring this up to the Board. She said she has no particular interest in changing everything, at this point. She said she appreciates everyone's work on it, and it seems reasonable to her. She said she assumes that they have had discussion about priorities for Community Development and whether they wanted to revisit the lighting ordinance.

Ms. Palmer said she did not know if that is why the Planning Commissioners who brought this up wanted to bring it to the Board's attention, but she thought she would mention to the new Board members that the Board has, in the past, decided that they would not work on redoing their lighting ordinance, although many of them want to do that. She said it is a question of staff capacity and the like. She said Ms. Maliszewski has been wonderful in volunteering to work and help involve people to try to get that on an agenda and have the Board understand the lighting issues, which she appreciates.

Ms. Palmer said having just gone through with Tiger Fuel and the questions of the cutoff lights, cameras, and motion lighting, she was struck by the comment by the applicant that they already have a problem with vandalism. She said she did not know they had a problem with vandalism in car parking lots, and although the Police Department wasn't on the call to discuss that, but if there was anything staff knows about that in general as far as if car lots in the area are suffering from increased vandalism, she would like to know about the problem and what they need to do about that.

Ms. Palmer said she was also curious as to if the applicant uses night watch people and motion-detecting lighting to increase the lighting.

Ms. Maliszewski replied that she had not been aware of the vandalism issue either and she did not know if it is common. She said she did not have any information on that. She said the applicant can probably provide more detail about the situation at this particular site.

Ms. Palmer asked if Ms. Maliszewski has ever discussed with applicants in the past about motion-detecting lighting and the like.

Ms. Maliszewski replied no.

Ms. McKeel said she read through the Planning Commission report and found the discussion around the lighting very interesting. She said she would agree with Ms. Palmer. She said they have talked a lot about updating the lighting ordinance, which is very old, as the cell tower policy is also very old. She said she understands the work plan, but at some point, it would be great to get to it.

Ms. McKeel said in this particular situation where there is Walmart and other businesses that are even grandfathered, there is already a good bit of light now. She said she didn't think that they could treat this particular car dealership any differently.

Ms. McKeel said she did want to clarify, however, because they keep talking about different types of lighting, that her understanding is that when the Board is approving this type of light, whether on Black Cat Road or on Route 29, that they are meeting the County's standards of appropriate lighting that shines down and doesn't create any more scatter than possible. She said this was a question for Ms. Maliszewski.

Ms. Maliszewski replied that the typical parking lot pole light would be that standard shoebox fixture, and the lamps in those fixtures would typically emit more than 3,000 lumens. She said because of that, they would be required to be the full cutoff fixture.

Ms. McKeel said even though there is an old ordinance, and many are interested in Dark Skies, they are accommodating for the more modern fixtures as a requirement when the Board is approving these projects.

Ms. Maliszewski replied this was correct, for that aspect. She said in the Entrance Corridor, there is a design guideline that the ARB uses for maximum levels of illumination. She said this is not an ordinance requirement for everywhere but is an Entrance Corridor guideline that the ARB applies.

Ms. McKeel said her comment was probably better to be discussed when the Board talks about lighting, but she remembered reading lots of studies about lighting a few years back when she was on the School Board. She said to assume that adding more lighting makes an area safer is not actually accurate. She said at the time, the County added lighting to a school or two and found that their vandalism actually went up, not down, because of the way they used it and the place they used it. She said this is a cautionary tale that, just because one puts in more streetlights, doesn't mean that everyone is safer or that vandalism goes down.

Ms. Maliszewski said there are potential issues that also have to be looked at, such as glare and consistency of lighting from one area to another. She said Ms. McKeel is right that they cannot just assume that more lighting is safer.

Ms. Mallek said she is going along with the same assumption that they are talking about full cutoff and shielding the light from the roadway to aim it all the way back into the parking lot. She said the only other question she had for Ms. Maliszewski was if they have accommodated or made changes to the lumen numbers to accommodate the LED lights, which are so much more intrusive at the same number as the old ones, or if they were still using the same number, and if it is just three times as bright.

Ms. Maliszewski replied that her understanding from recent conversations regarding the LED light is the color temperature of the LED light and what is wanted is to have that within a certain range so that it is a warm white light and not a very bright white or blue light. She said the Entrance Corridor design guidelines do include a guideline calling for warm white light. She said staff is typically looking for lamps that emit what is in the range of 2,000-3,000 kelvin, which is the technical term related to the color of lighting. She said they are getting the warm white light, which takes care of a lot of that problem.

Ms. Mallek asked Ms. Maliszewski if she has seen simulations of the lights the applicant is proposing that show that it stops at the sidewalk, for example. She said she knows there were great simulations with Musco about Peachtree Baseball, and one can walk 5 feet away from the fence and not see anything because it is so dark. She asked if they were making those kinds of efforts in a commercial space to make sure that these lights are staying where they are supposed to stay.

Ms. Maliszewski replied that staff is requiring photometric plans, which show the footcandle levels at the ground. She said they look at those to see if they are meeting the requirement for no more than half a footcandle at the property line. She said this is how staff is judging that, but they are not getting actual lights out there and being on site where the light is hitting. She said she thinks they have had good success with review of the photometric plans.

Ms. Palmer said to follow up on Ms. Mallek's question about LED versus regular lighting, Ms. Maliszewski said that they do make those accommodations in the Entrance Corridor. She asked if this means they do not make those accommodations anywhere else.

Ms. Maliszewski said this was correct. She said the ordinance does not require it, and it is an Entrance Corridor guideline.

Ms. Palmer said she hadn't known before that the lighting would have to be reviewed again at the site plan level by the ARB. She said she learned something new, which is wonderful. She asked Ms. Maliszewski what the ARB would be looking at that time that they were not looking at before so that the Board can understand that process.

Ms. Maliszewski replied that in the reviews the ARB has done so far, the actual photometric plan was not included. She said because they have had this sort of application so many times, and they know what the ARB is looking for in terms of the lighting, they were able to establish that recommended condition. She said what they are looking for is for the final site plan to come back and review it to make sure it is meeting the requirements of the conditions of approval, to make sure that all the lighting is in line with the guidelines and with the conditions of the Special Permit, if the Board chooses to approve it that way. She said the ARB would also be looking at the landscaping again and making sure it is meeting all requirements.

Ms. Maliszewski said a revised site plan was just recently submitted. She said she has not reviewed it yet, but it does include the photometric plan.

Mr. Gallaway invited the applicant to speak.

Ms. Valerie Long informed the Board that she was not in her normal location, and although her Wi-Fi had been perfectly all day, she did just drop a couple of times. She said she hoped that this does not happen again, and in the event that it does, Ms. Kelsey Schlein with Shimp Engineering can jump in and fill in for her in the meantime. She apologized for technical delays.

Ms. Long said she is with the law firm of Williams Mullen and is representing the applicant, Malloy Ford. She said she was joined by Mr. Jeff Malloy, President of Malloy Ford, and Ms. Schlein, Shimp Engineering.

Ms. Long said as Ms. Maliszewski mentioned, this is an expansion of the existing Malloy Ford dealership. She said they purchased the former Better Living Building Supply building several years ago and redeveloped it as a new site. She presented an image from the Entrance Corridor of the existing site.

She indicated to existing landscaping, and in the distance, the former furniture store for Better Living that has since been removed. She presented a closer picture of it, mentioning that for future reference, they would be talking at some point about the future travelway.

Ms. Long indicated on the slide to a building that has been demolished. She said a building in the back is an old portion of the warehouse from the old furniture store business. She said that building will remain and will be repainted as part of the ARB and site plan approvals to match the color of the Malloy Ford dealership next door.

Ms. Long presented a front-on view, noting there is very limited landscaping. She said the site was developed in the early to mid-1980s prior to most, if not all, of the current ARB and landscaping regulations.

Ms. Long said the property is designated on the Comprehensive Plan for Urban Mixed Use. She said it is zoned Highway Commercial, as is most of the parcels surrounding it.

Ms. Long presented an old Google image that was taken during Better Living Building Supply days. She said everything in this area is now part of the dealership. She indicated to the service bays, and the area under discussion.

Ms. Long said this was an application that the Board approved back in 2016 for the outdoor storage and display Special Use Permit for the existing dealership. She said this is the equivalent application that was before the Board that evening.

Ms. Long said also in 2016, a separate Special Use Permit for a body shop was approved in that location. She said they also came back in 2018 for a second approval for a body shop in the old warehouse building. She said this is the expansion of the existing dealership site to provide additional storage and display of vehicles for sale.

Ms. Long presented another image, noting that the building inside the red box had been demolished, and the red lines roughly represent the boundaries of the current application.

Ms. Long presented a view of the concept plan. She said the existing building will remain in the back, and there is an area that will be removed in the front. She said there is extensive landscaping, as Ms. Maliszewski mentioned, and they secured unanimous approval from the ARB. She said they did have to go back, as the ARB takes a tough look at these application for display along the Entrance Corridor. She said this application has significantly more landscaping than is typically required just under basic site plan regulations.

Ms. Long said she would talk about lighting, as she knew it was an issue from the Board's questions and comments. She presented some photos that were taken at night within the last few days showing the existing dealership from a distance. She said the existing dealership was approved by the ARB as well and is subject to conditions of approval for outdoor storage and display.

Ms. Long said the standard that the ARB applies for such display lots is that they allow a maximum of 30 footcandles. She said typically, for non-display lots, the standard is 20 footcandles, but there is a longstanding policy to allow for up to 30 footcandles for display vehicles.

Ms. Long said the existing Malloy dealership was approved for a maximum of 30 footcandles and in fact, when the site plan was submitted, reviewed, and approved, it did not provide all the lighting that was actually permitted. She said the maximum footcandles there is 22.8, and with this in mind, it is what staff initially recommended as the condition of approval for this current application so that it would be consistent. She said if approved, the lighting on the new expansion site would actually be more stringent than the standard, and it would be substantially more stringent than several other dealerships and other businesses that are located very close by.

Ms. Long presented images from Jim Price Chevrolet and Walmart, noting the lighting there is much brighter. She said Jim Price Chevrolet is completely exempt from all lighting ordinance regulations, as it was developed prior to the current lighting ordinance. She said even when they went through redevelopment over the last few years, they were able to do so without having to come into compliance.

Ms. Long presented photos from the existing display area lots. She said it is just light enough to be safe and is not excessive. She said this is a 22.8 footcandle level.

Ms. Long presented another vantage point. She said it is not excessive. She said the applicant thinks a very reasonable amount of light still protects the safety of employees and their customers who are shopping in the evenings, as well as the high-value product there for display.

Ms. Long presented an image from the Jim Price Chevrolet lot for comparison. She said they have no lighting regulations that they are bound by, and the difference can be seen substantially. She said she had the images presented side by side. She said to the extent there are concerns and criticisms of lighting along the Route 29 Corridor and anyone who is bothered by that, she did not believe that Malloy Ford is contributing to that. She said the most important thing is that they are 100% in compliance with the lighting regulations on their existing site, and the new expanded location would be as well.

Ms. Long said Ms. Maliszewski referenced a photometric plan that is part of a site plan

application. She presented a page from the existing site plan application for the new dealership. She pointed out that because of the travelway that is in between the pavement of 29 North and where the first light poles are in the indicated locations, the distance of those light poles from the Entrance Corridor range from 67 to almost 69 feet back from the Entrance Corridor.

Ms. Long noted that one of the other lighting regulations that Ms. Mallek alluded to is that there is a limit on the number of footcandles of lighting that can spill over onto an adjacent parcel, or into the road. She said this limit is very stringent, at no more than half a footcandle. She said the levels projected are all under 0.5.

For comparison, Ms. Long presented a copy of the site plan from the Jim Price Chevrolet dealership that was recently updated in the last few years. She said she highlighted a handful of the measurement areas, for comparison purposes. She said adjacent to Route 29, the footcandle levels are 38.5 and in the high 20s. She said in the interior of the site, there is everything from 178, 103, 127, 107, 118, etc. She said by comparison, at the Malloy Ford dealerships, they will not be more than 22.8.

Ms. Long said she thinks this is self-explanatory that this is a redevelopment of an existing commercial site. She said it allows this existing business to grow in place and expand. She said the business has been very pleasantly surprised with the amount of additional business at this location, and it has proved far more successful even than envisioned, particularly with regard to the amount of service business they have. She said this has created a tight site in terms of the number of vehicle spaces, so this will help alleviate that.

Ms. Long said it will make the site look much better from Route 29 and from adjacent parcels, allow them to have all of their vehicles located where they are allowed to be located, and will substantially increase the amount of landscaping along that Entrance Corridor. She said in general, overall, it will improve the look and development of the property from Route 29 and adjacent properties.

Ms. Long noted that the questions about safety, security, and lighting at night, Mr. Malloy has shared with her that they do have quite a challenge with vandalism at their dealership sites. She said if there is no lighting, there is vandalism, and even when there are lights, there is vandalism to tires, catalytic converters (which contain valuable metals), and theft in general. She said it is very important for the applicant to have basic lighting in the evening.

Ms. LaPisto-Kirtley said this had nothing to do with Ms. Long, but that she wondered why, when Jim Price wanted an expansion, they were not required to meet the current conditions.

Mr. Gallaway said this could be a question for staff to answer and was not part of this application.

Ms. LaPisto-Kirtley asked if the pictures Ms. Long showed were taken from underneath or from down below. She said she was trying to figure out whether or not they have the shading on the top so that all the light goes downward. She said she believed it does, but in the pictures showed, it looked very bright, though she believed it was because of the angle. She asked if this was correct.

Ms. Long said Ms. LaPisto-Kirtley was correct. She said they are all of the lights from the Malloy Ford dealership and that in the pictures that she showed, all of those fixtures are fully compliant with the County regulations. She said they are full cutoff fixtures, are down shielded, and are under the light limits. She said because of the way the photographs are taken, it does provide a starburst effect. She said they are all compliant, however, and were taken onsite, other than the ones that were clearly taken offsite.

Ms. Price said Ms. Long clearly understood where many of the concerns were going to come from and had addressed all of those very well. She pointed out that there was no relationship between her and the Jim Price dealership. She said she thought this was relevant to mention.

Ms. Palmer said she would like to ask Mr. Malloy if he has more problems locally here. She said she didn't know where his other businesses are in other areas, but she was curious about his problem with vandalism. She asked if Mr. Malloy could speak to that in terms of locally, here.

Mr. Malloy replied that he has five other dealerships in Winchester and Alexandria, Virginia, as well as Charlottesville. He said the vandalism and theft is about the same. He said it is very random, and one never knows when it will happen. He said as for Charlottesville, they lost two trucks in the last three months and they have not been recovered. He said someone came onto the lot and stole them. He said one was about \$90,000 and the other was about \$70,000. He said it does happen, and there are police reports on it.

Mr. Malloy said the bottom line is if there is good lighting, typically, things do not disappear, and there is not as much vandalism. He said the police will pull onto the lot and drive through in the middle of the night, and so if the lot is well-lit, they are able to see everything. He said he thinks they lost the two trucks in the dark side of the lot, next to the area that they are getting ready to turn into a parking lot and put some lighting on. He said it does happen, and he thinks they probably lose about 2-3 vehicles per year at each dealership. He said most of them get recovered, but they have not recovered the ones in Charlottesville.

Ms. Palmer asked Mr. Malloy if he has surveillance cameras.

Mr. Malloy replied that they do sometimes, at some of the dealerships, and are getting new surveillance cameras for Charlottesville that will be on the corner of the old warehouse building and the corner of the new Ford showroom. He said they are not up and running yet. He said they checked with the Nunley's, who are up on the hill, and they have cameras also. He said they have lost some materials to theft, so they were checking their cameras for him and were unable to find anyone who came onto the lot and stole the vehicles.

Ms. McKeel said she was going to ask the same questions about cameras. She said she supposed the camera the Nunley's has was probably at the wrong angle to catch what Mr. Malloy was looking for.

Ms. Mallek said her questions were answered.

Mr. Gallaway said having had some experience, and still having some experience working for a car dealership, it is not just criminal or vandalism. He said there are a lot of people who he suspects are interested in looking for a car and want to drive the lot when the salespeople are not there chasing them down. He said they don't want people driving through their products when they can't see properly because damage could happen that is not criminal. He said if there are vendors coming to the lot and looking through inventory, the better they can see, the safer the products will be.

Mr. Gallaway said the other items are Virginia state inspection stickers that get stolen. He asked if his audio was being problematic, noting he was hearing some feedback on his end.

Mr. Gallaway said sometimes, it's salespeople or lot people who don't leave the car shut, and people will steal state inspection stickers. He said on his own lot, he had to reinspect about 40 cars that had inspection stickers stolen on them. He said it is small type items such as catalytic converters, as Ms. Long mentioned, which is to get the metal.

Mr. Gallaway said vandalism like small scratches, dings, and dents can add up. He said with the new inventory, one has to spend the money to make it right to keep it new.

Mr. Gallaway said with regard to lighting, this is the Development Area. He said he does appreciate the fact that they are trying to keep as much light pouring down and not escaping to go out. He said it is a little different when they are talking about Rural Areas versus things that are in the Development Area along a major corridor. He said frankly, when the application came in for initial approval, since this is a continuation, if some separate party was coming in to put a dealer there that is a separate dealer, they would probably get the same affordance to them that this dealer got the first go-through. He said this is expansion and how he is thinking about that.

Mr. Gallaway expressed that while he does appreciate the fact that they know of stolen cars, even the smaller, minor things are important. He said while stolen cars can be more incredible and sensational in thinking about a \$90,000 truck, the minor, daily things in a given month can really add to the expense of maintaining an inventory.

Mr. Gallaway said he would save his other comments for after public hearing. He asked if anyone was signed up for public hearing.

Ms. Borgersen replied that they did not.

Mr. Gallaway said he just saw Ms. LaPisto-Kirtley's comment and asked if she had another comment.

Ms. LaPisto-Kirtley thanked Ms. Long and Mr. Malloy for what they are doing regarding the lighting and answering the Board's questions. She said she wanted to know how one steals a truck nowadays, as most of them don't have an actual key. She said she knows they would enlighten her. She said she opens the hood, and everything is sealed, so she didn't know how one can put wires together like they used to do in the old days. She said she was curious how they do that unless they put it on a truck.

Mr. Malloy said Ms. LaPisto-Kirtley would be surprised as to how these vehicles are stolen. He said some people have electronic gadgets where they are able to bypass the keyless fob. He said sometimes, people come in and make a duplicate key, or it's an inside job and someone steals it. He said a big truck can come in in the middle of the night and they load it up. He said they drive in like they are dropping something off, pick up the entire vehicle, and take off.

Mr. Malloy said there are talented criminals out there. He said he has had all sorts of vehicles stolen all over the place. He said they have had people walk onto the lot, where a car is sitting in the service lane with the keys in it, and someone jumps in and takes off. He said it is amazing what happens at a car dealership.

Mr. Malloy expressed that more lighting, more security, and more cameras are helpful. He said he will definitely get more cameras put in, and that he has already had IT personnel go there. He said they are going to get good ones because they have cameras on some of their other sites and sometimes, they cannot read the tag of the cars leaving with their valuables.

Mr. Gallaway said as no one was signed up for public hearing, he would close the public hearing

and bring the matter back before the Board. He said he did have some additional comments after other Board members have asked questions or made comments. He heard none.

Mr. Gallaway said to be perfectly frank, he needed to bring up a matter because the site, since it has been open, has been a source of constituent emails to him over the last couple years, regarding compliance of the current site plan relative to parking. He said he does understand firsthand what the difficulties are dealing with space. He said when he saw the initial site plan, he knew right away that if he was Mr. Malloy, he would not have the parking needs to be able to do what he would like to do for service and display. He said obviously, the solution Mr. Malloy was bringing forward to the Board that night will help solve some of those parking issues.

Mr. Gallaway said he has to say that the past compliance is a major concern for him. He said in terms of constituents, mainly, he has not received a lot of complaints about lighting or any other items, but it has mainly been about the parking compliance issues that are there. He said to be fair, in tracking this down and working with staff to understand what is going on when he received those complaints, it sounds like things were brought back into compliance fairly quickly, but there seems to be times when they fall back out of compliance and come back in.

Mr. Gallaway said the residents' nature of the complaint is that they went to community meetings to voice their concerns and saw a game plan. He said for the most part, everyone agreed and went along with it. He said then, the game plan was not followed because things fell out of compliance.

Mr. Gallaway said one of the concerns coming from some of the people that he has heard in the neighborhood community across the road was that there is a new game plan, and is compliance going to occur. He said the residents wanted to know if the applicant would do what they say they are going to do this time because it didn't occur in the past.

Mr. Gallaway said he would have to admit that he is going to be very impatient, or he is going to ask staff to be very impatient that if the display and parking issues are there and if it is not complied to, to make sure they are out policing this in an appropriate way and under the authority the County is able to do. He said he thinks this is only fair to the community. He said the Board gets a lot of applications in front of them where residents are just against the project, but in this case, they are not against the project, but want the project to be adhered to the way that it's defined in the plan. He said the applicant has some faith to make up with some of the neighbors in the area.

Mr. Gallaway said he hopes that with the approval of the application, the landscaping will be taken into account and that the applicant will do the best they can with that to help with the visual aspect across the road. He said even one person noted that recently, the move of some large, brand-new full-sized trucks got moved back, and smaller inventory was put out on the first row. He said this was something that the community will appreciate. He said seeing how the display is set up that way can go a long way in making sure the applicant is being a good neighbor in the area.

Mr. Gallaway said he hoped he was not sounding too heavy-handed, or like he is taking an opportunity to finger-point. He said it is the Development Area and is on an Entrance Corridor. He said how things look in Albemarle does matter, and he hopes that the plan that is put forward will be followed and adhered to. He said he would appreciate all efforts to make sure that happens.

Mr. Malloy said this was fair enough. He said they will certainly get with the program down there. He said they had a serious inventory problem, and the service business far exceeded what they expected for the parking requirements. He said they had gone out and actually found another place to park cars until the inventory got lower, and they ended up having to move those cars from that site also. He said driving by there now, one can see that the inventory is under control. He said the good news is that he has two other Ford dealerships, and they are able to take some of the inventory they are heavy in and move it to the other stores. He said they will keep a close eye on this and make sure they do not have people parking on the grass. He said they will keep the cars on the lot, where they belong.

Mr. Gallaway said he appreciates that. He said Mr. Malloy is lucky in that, unlike his competitors, he actually has a solution that is onsite and right there on his property. He said his competitors do not have that same solution with their parking issues.

Mr. Malloy agreed and thanked Mr. Gallaway.

Ms. LaPisto-Kirtley moved that the Board approve SP201900011 Malloy Ford Outdoor Sales/Storage/Display. Ms. Palmer seconded the motion.

Ms. Price asked if the motion was with the conditions as recommended by staff, or without conditions.

Mr. Gallaway said it should be with conditions.

Mr. Kamptner said the resolution that is Attachment D has the conditions attached.

Ms. Price asked Ms. LaPisto-Kirtley if this was her motion.

Ms. LaPisto-Kirtley clarified that was her 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.

---

**RESOLUTION TO APPROVE  
SP 201900011 MALLOY FORD OUTDOOR STORAGE AND DISPLAY**

**NOW, BE IT RESOLVED** that, upon consideration of the staff report prepared for SP 201900011 and all of its attachments, the information presented at the public hearing, any written comments received, and the factors relevant to a special use permit in Albemarle County Code §§ 18-30.6.3 and 18-33.40, the Albemarle County Board of Supervisors hereby approves SP 201900011, subject to the conditions attached hereto.

\* \* \*

**SP 201900011 Malloy Ford Outdoor Storage and Display Special Use Permit Conditions**

1. Use of this site must be in general accord with the concept plan entitled “Special Use Permit Concept Plan SP201900011 Malloy Ford Concept Plan Sheet 4 of 7” last revised on March 24, 2020 (the “Concept Plan”), as determined by the Director of Planning and the Zoning Administrator. To be in general accord with this plan, development and use of the site shall reflect the general size, arrangement and location of the vehicle display and storage areas. Permitted modifications may include those required by the ARB, those necessary to satisfy the conditions of this special use permit, and additional landscaping/screening approved by the Site Plan Agent.
2. Vehicles must be displayed or stored only in areas indicated for display or storage on the Concept Plan.
3. Vehicles for display must be parked in striped parking spaces.
4. Vehicles must not be elevated anywhere outside of a building on site.
5. Final site plan approval is subject to ARB approval of the lighting plan (submitted with the site plan). Maximum height of new pole lights (including bases and fixtures), must not exceed 20’. Maximum light levels must not exceed 22.8 footcandles at the ground in the display lot and 20 footcandles in all other locations.
6. Final site plan approval is subject to ARB approval of the landscape plan (submitted with the site plan). Landscaping shown on the landscape plan may be required to be in excess of the minimum requirements of the ARB guidelines, Albemarle County Code § 18-32.9, or both, to mitigate visual impacts of the proposed use, and must include, but not be limited to, the landscaping shown on the Malloy Ford Landscape Plan C1 of 1 revised March 24, 2020.
7. A boundary line adjustment to add the portion of Tax Parcel 45-112B1 on which parking is shown to Tax Parcel 45-68A must be approved prior to final site plan approval.

---

Agenda Item No. 20. **Public Hearing – SP201900012 Field School of Charlottesville.**

PROJECT: SP201900012 Field School of Charlottesville

MAGISTERIAL DISTRICT: Jack Jouett

TAX MAP/PARCEL: 06000000006800

LOCATION: South side of Barracks Road, approximately 750 feet west of the intersection with Montvue Drive

PROPOSAL: Request to amend existing special use permit SP201500024 to reduce the acreage that the special use permit applies to, from a 24.57-acre area to a 21-acre area of the parcel, and to change the location of a tree buffer.

PETITION: Special Use Permit request for private schools under section 10.2.2.5 of the Zoning Ordinance. No increase in student enrollment proposed. No dwelling units proposed. ZONING: RA Rural Area – agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots)

ENTRANCE CORRIDOR: Yes

OVERLAY DISTRICT(S): Airport Impact Area

COMPREHENSIVE PLAN: Rural Area – preserve and protect agricultural, forestal, open space, and natural, historic, and scenic resources; residential (0.5 unit/acre in development lots).

The Executive Summary forwarded to the Board states that, at its meeting on May 5, 2020, the Planning Commission conducted a public hearing and voted 7:0 to recommend approval of SP2019-00012 with the conditions outlined in the staff report and with two revisions to the concept plan that staff recommended. Attachments A, B, and C are the Planning Commission staff report, the Planning Commission action letter, and minutes from the meeting.

The Planning Commission raised no objections to this request by the Field School of Charlottesville to amend its originally approved special use permit, SP2015-00024, which was approved by the Board of Supervisors on March 8, 2017. No members of the public spoke at the public hearing of the Planning Commission.

The Planning Commission recommended only the two changes to the concept plan that staff had recommended in the staff report. The changes included fixing a typo on sheet C7 and revising the 50-foot

minimally disturbed buffer proposed along the new southern property line to instead be composed of a 25-foot undisturbed buffer and a 25-foot minimally disturbed buffer. The applicant has provided a revised concept plan (Attachment E) depicting these two changes. Condition #1 has been revised by staff to reference this revised concept plan (Attachment D). All other conditions remain the same.

Staff recommends that the Board adopt the attached Resolution (Attachment F) to approve SP201900012.

---

Mr. Andy Reitelbach, Senior Planner, presented. He said this request is for an amendment to a previously approved Special Use Permit for the Field School property, which is located on Barracks Road between Montvue Drive and Colthurst Drive intersections. He said it is a property of approximately 24.5 acres that is zoned Rural Areas.

Mr. Reitelbach said the purpose of the public hearing is to amend the existing Special Use Permit (SP201500024), which allows a private school in the Rural Areas Zoning District. He said it was approved on March 8, 2017.

Mr. Reitelbach said the request for this public hearing and for this amendment is the area that the Special Use Permit applies to from the existing 24.5 acres to 21 acres. He said this is to allow for a proposed boundary line adjustment with an adjacent parcel to the south. He said this is because conditions of a Special Use Permit run with the land, and do not run with the parcel numbers. He said if that boundary line adjustment were to occur without amending the Special Use Permit, those conditions would apply to the land that was adjusted.

Mr. Reitelbach said the applicant is also asking to shift the location of Tree Buffer B to run along the proposed new property line.

Mr. Reitelbach said with this, there are a few other elements proposed as well to address the boundary line adjustment and the shift of the tree buffer. He said drain field locations will be shifted slightly, and the final location of those will be determined at the site plan stage with the Health Department. He said the dining hall building will be reoriented by 90 degrees; however, it will stay in the same general location. He said six parking spaces will be moved from near the dining hall area, which is near the eastern property line, over toward the athletic and academic buildings, which are more central to the campus.

Mr. Reitelbach said student enrollment is not changing with this request and will remain at 150 students maximum. He said the entrance onto Barracks Road is not changing, either.

Mr. Reitelbach presented maps to show the zoning and Comprehensive Plan for the property. He said both zoning and the Comprehensive Plan designate these as Rural Areas. He said he also highlighted the property to the south-southeast, which is proposed for the boundary line adjustment. He said this is a residential property that is also zoned Rural Areas.

Mr. Reitelbach presented the concept plan showing the proposed new concept plan, with the residue area being at the bottom of the map. He said this is approximately 3.5 acres that is proposed to be transferred to the neighboring property owners to the south.

Mr. Reitelbach said factors for consideration is that there is one factor favorable of no enrollment increase being requested. He said there are no changes to the entrances or traffic circulation proposed. He said the changes are not expected to have any impact on the surrounding area.

Mr. Reitelbach said no unfavorable factors were identified.

Mr. Reitelbach said based on the findings described in the staff report, and the factor identified as favorable, staff recommends approval of SP201900012 Field School of Charlottesville, with the following conditions. He said these conditions are largely the same as the conditions that were approved with the initial Special Use Permit from 2015. He said the only change is in Condition #1, which references the concept plan showing the smaller parcel that the Field School will be located on. He said the other eight conditions are all the same as they were previously approved.

Mr. Reitelbach said at a public hearing of the Planning Commission held on Tuesday, May 5, the Planning Commission voted 7-0 to recommend approval of the Special Use Permit, provided a couple minor revisions were made to the concept plan, as recommended by staff. He said those revisions have been made by the applicant and are included in the concept plan that is before the Board.

Mr. Reitelbach presented suggested motions for the Special Use Permit and offered to answer questions.

Ms. Price asked about the 3.5 acres that will be transferred over through the boundary line adjustment. She said she took it that there was some sort of a constraint on those 3 acres, and then by moving that to another parcel, it relieved this application from those constraints.

Mr. Reitelbach replied that those 3.5 acres do include some critical slopes, and there is also a ravine on the Field School property that separates the main portion of their property from these 3.5 acres. He said it was unlikely that they were going to be used by the Field School. He said in their initial concept

plan, they were shown to remain wooded. He said from his understanding, the property owners to the south of the Field School were interested in purchasing property to expand their property, and so this is the reason that the Field School is going through this so that they can sell this land to the neighboring property owners.

Ms. Price said this answered her question. She said it is very common for someone to have a piece of property they can't use where an adjacent property owner is interested.

Ms. Palmer asked Mr. Reitelbach to go back to the slide of the property itself. She said she was not quite sure where the stream is with the buffer when she was reading the materials.

Mr. Reitelbach said the stream goes through the woods on the southern portion of the property, from 60-60 AD, which is the parcel directly to the east with frontage on Barracks Road, and follows flowing toward the west to the two ponds that are on the west side, the one on 60-68, as well as the other square-shaped pond on the adjacent property.

Ms. Palmer asked if the stream, or any of the buffer, will be on the adjacent property owner's property.

Mr. Reitelbach replied that it is actually an intermittent stream, and so there is no 100-foot WPO buffer on this property. He said the majority of that stream actually would go onto the adjacent property owners.

Ms. Palmer said her question was if they would then have to have the 100-foot buffer, but Mr. Reitelbach said it is an intermittent stream, so they don't have to have that.

Mr. Reitelbach said this was correct.

Ms. Palmer said this is where she was going with her question. She said she didn't see that in the materials that it was intermittent.

Ms. Palmer said she had one more question. She asked Mr. Reitelbach if he knew what portion of the property the Fill and Waste project was, and how much of the property it entailed.

Mr. Reitelbach replied that he was not 100% certain, and the applicant may know better, but that he believed it was the central area that was cleared of trees and is largely grass and meadow right now. He said he believed this was the area used for the fill.

Ms. Palmer said the Health Department will have to put the drainage field there for septic, and she was curious as to how that works on a fill site. She said it was not something the Board needed to discuss now but would like someone to explain to her in the future how this is done, or how it interferes with the process when there is a fill site like this. She said it is a question for later.

Mr. Gallaway asked Mr. Reitelbach who was there to represent the applicant that evening.

Mr. Reitelbach replied that the applicant is Mr. Todd Barnett with the Field School.

Mr. Barnett said he was simply there to ask questions. He said Mr. Reitelbach knows this as well as he does, and that Ms. Kelsey Schlein from Shimp Engineering was present to answer technical questions.

Mr. Barnett said regarding the fill site, this was not on this piece of the property. He said it is on the piece on the picture that Mr. Reitelbach had just presented. He said it is the adjacent property of about 6 acres to the southeast. He said as far as the applicant knows, there was no fill that happened on the subject piece.

Ms. Schlein said to address Ms. Palmer's concerns, the fill site was somewhat the cleared area and the meadow on the property. She said the portion that is being sold was not a portion of the fill site.

Ms. Schlein said to respond to the drain field concerns, the fill site does create some constraints for drain field location. She said with the Special Use Permit revision, however, VDH was involved. She said they had a preliminary soil test on the site, and so all of that work was turned over to VDH. She said Mr. Josh Kirtley with VDH reviewed the plans for feasibility of future drain field sites.

Ms. Palmer said she was slightly confused between Mr. Barnett's and Ms. Schlein's answers. She said regarding the 6 acres, Mr. Barnett had said this was on a different property.

Mr. Barnett asked Mr. Reitelbach to show the picture again so he could point out the fill site. He said it was a somewhat infamous part of this property but is not part of what the applicant owns now. He said on Barracks Road, it is the piece that is closer to Charlottesville. He said where Mr. Reitelbach's cursor pointed was where the fill was. He said going slightly to the left, it almost looks like a dam wall that is there, and one can see this very well when driving by. He said there is no indication that there is any fill on the part of the property that Field School now owns.

Ms. Palmer said she could have sworn she saw in the materials that there was, and she supposed Ms. Schlein apparently thinks there is.

Mr. Barnett said no.

Ms. Palmer said Mr. Barnett is the one who bought the property, so she was not arguing with him.

Ms. Schlein said Mr. Barnett has been involved in this since the first time that it came before the Board, and what came before the Board previously was that the property 60-60E was previously a part of the application before. She said their information from the soil consultant is that wherever there is heavily worked dirt on the site, a drain field cannot be located there. She said this was evaluated with this specific request for 60-60A for that parcel.

Mr. Barnett said he believes the previous owner did a lot of work to try to flatten that central area of their property out to make it an attractive place to develop. He said he believes they imagined someone entering the property there by the pond, coming by the pond, then coming up the hill, and they wanted the whole area to be open and accessible. He said while that may have compromised the soil, as far as they know, there is nothing that was dumped there.

Mr. Gallaway said they would start the public hearing. He asked if anyone was signed up for this public hearing.

Ms. Borgersen replied there was not.

Mr. Gallaway said hearing none, he would close the public hearing and bring the matter back before the Board for further comments, questions, or a motion.

Ms. McKeel said this is in the Jouett District, and that she feels very comfortable with this boundary adjustment. She said it makes a lot of sense, in fact. She said she and Commissioner Bivins talked a lot about this, so she was comfortable making the motion if the Board doesn't have a problem with it. She said if there were other questions or comments, they could continue the discussion.

Ms. McKeel **moved** the Board adopt the Resolution to Approve SP201900012 Field School of Charlottesville, with conditions contained therein. 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.

---

#### **RESOLUTION TO APPROVE SP 201900012 FIELD SCHOOL OF CHARLOTTESVILLE**

**NOW, BE IT RESOLVED** that, upon consideration of the staff report prepared for SP 201900012 and all of its attachments, the information presented at the public hearing, any written comments received, and the factors relevant to a special use permit in Albemarle County Code §§ 18-10.2.2(5) and 18-33.40, the Albemarle County Board of Supervisors hereby approves SP 201900012, subject to the conditions attached hereto.

\* \* \*

#### **SP 201900012 Field School of Charlottesville Special Use Permit Conditions**

1. Development of the use shall be in general accord with the concept plan entitled "Special Use Permit Concept Plan and Exhibits, Field School of Charlottesville, SP2019-00012 – Amendment to SP2015-24, Tax Map 60, Parcel 68, Albemarle County, Virginia," prepared by Shimp Engineering, P.C., dated November 18, 2019, last revised on May 6, 2020, as determined by the Director of Planning and the Zoning Administrator. To be in general accord with the concept plan, the development and use shall reflect the following major elements as shown on the concept plan:
  - a. Locations of buildings and sports fields within the indicated envelopes
  - b. Maximum total building footprint of thirty thousand (30,000) square feet
  - c. Maximum footprint of twelve thousand (12,000) square feet for any single building
  - d. Preservation and installation of tree buffers as indicated
  - e. Preservation of wooded areas and slopes outside of building and sports field envelopes as indicatedMinor modifications to the plan which are in general accord with the elements above may be made to ensure compliance with the Zoning Ordinance. Modifications are to be considered in terms of minimizing or improving impacts on adjoining properties and roadways. Buildings and parking may be developed in phases.
2. The maximum enrollment shall be one hundred fifty (150) students.
3. Classroom instruction shall not begin before eight o'clock a.m. (8:00 a.m.) and shall not continue later than five o'clock p.m. (5:00 p.m.). These hours shall not apply to sports events. Classes shall not be held on Saturday or Sunday.

4. Occasional non-sporting school-related events may occur on and after five o'clock p.m. (5:00 p.m.) on Monday through Friday and at any hours on Saturday and Sunday. Occasional community events may occur on and after six o'clock p.m. (6:00 p.m.) on Monday through Friday and at any hours on Saturday and Sunday.
5. No construction for the use shall begin without written approval of the proposed septic facilities from the Virginia Department of Health.
6. No outdoor lighting of sports fields shall be installed for this use.
7. There shall be no outdoor amplified sound associated with this use.
8. Any new outdoor lighting shall be only full cut-off fixtures and shielded to reflect light away from all abutting properties. A lighting plan limiting light levels at the property lines to no greater than 0.3 foot candles shall be submitted to the Zoning Administrator or his designee for approval.
9. If the construction of the private school for which this Special Use Permit is issued is not commenced by February 28, 2022, the permit shall be deemed abandoned and the authority granted there under shall thereupon terminate.

---

**Agenda Item No. 21. Public Hearing – SP202000001 Little Explorers Discovery School (Crozet Baptist Church).**

PROJECT: SP202000001 Little Explorers Discovery School (Crozet Baptist Church)

MAGISTERIAL DISTRICT: White Hall

TAX MAP/PARCEL: 056A1010008200

LOCATION: 5804 St. George Avenue, Crozet, VA 22932

PROPOSAL: Request to amend existing special use permit SP201800006 to allow an increase in attendance at an existing child day center to a maximum of 50 students present at one time. No new buildings proposed.

PETITION: Special Use Permit request for a child day center in accordance with Section 14.2.2.7 of the Zoning Ordinance on a 2.25-acre parcel. No dwelling units proposed.

ZONING: R-2 Residential, which allows 2 dwelling units per acre and institutional and public uses.

OVERLAY DISTRICT(S): Steep Slopes – Managed

COMPREHENSIVE PLAN: Neighborhood Density Residential – residential (3-6 units/acre); supporting uses such as religious institutions, schools, and other small-scale non-residential uses; in the Community of Crozet Master Plan area.

The Executive Summary forwarded to the Board states that, at its meeting on May 12, 2020, the Planning Commission conducted a public hearing and voted 7:0 to recommend approval of SP2020-00001, with the conditions as stated in the staff report. Attachments A, B, and C are the Planning Commission staff report, the Planning Commission action letter, and minutes from the meeting.

The Planning Commission raised no objections to this request by the Little Explorers Discovery School to amend its originally approved special use permit, SP2018-00006, which was approved by the Board of Supervisors on October 10, 2018. No members of the public spoke at the public hearing of the Planning Commission.

Staff recommends that the Board adopt the attached Resolution (Attachment D) to approve SP202000001.

---

Mr. Andy Reitelbach, Senior Planner, presented. He said the location of this site is 5804 St. George Avenue in Crozet. He said the purpose of the public hearing is to amend an existing Special Use Permit, SP2018-6, for a child day center in the R2 Residential Zoning District. He said this original Special Use Permit was approved in October of 2018.

Mr. Reitelbach said the applicant is asking to expand the use of the child day center to other parts of the church building that are not currently used, and to increase the maximum attendance at the child day center from current enrollment of 25 students to a maximum attendance of 50 students present at any one time, with no limit on the enrollment numbers. He said this is to accommodate scheduling needs such as all-day students versus partial-day students, students who may only come in the summertime versus attending during the schoolyear, as well as students who may attend part of the week versus those who attend five days a week.

Mr. Reitelbach said the hours of operation would be 7:30 a.m. to 6:00 p.m., with occasional special events after 6:00 p.m. He said instruction would be indoors, with outdoor play in a fenced area. He said there would be separate play areas for older students and younger students. He said the applicant would continue a staggered drop-off and pickup time; however, the applicant currently uses a vehicle queue system where parents drop their students off at the front door, and instead, the applicant is proposing a park-and-walk drop-off system where the parent or guardian would park in the parking lot and walk their children to the front door of the church.

Mr. Reitelbach said for the zoning and Comprehensive Plan of this site, the zoning is R2 Residential, and the Comprehensive Plan designates this as a "Neighborhood Density - Residential" land use designation, where child day centers are a secondary use.

Mr. Reitelbach presented a concept map provided by the applicant showing the location of the church and outlining the areas for the playground, as well as the parking lot and how the applicant intends to direct traffic into the parking lot and have parents or guardians park to then walk their students into the church.

Mr. Reitelbach said there are a couple factors favorable for this application. He said the proposed use is consistent with the Crozet Master Plan. He said the proposed use is located within the Development Areas and is consistent with the uses identified for Neighborhood Density - Residential.

Mr. Reitelbach said as a factor unfavorable, this use will generate additional vehicular trips along St. George Avenue, however, the staggered drop-off period will better distribute traffic throughout the morning and evening pickup and drop-off times. He said the use of a park-and-walk system for students will ensure that traffic does not back up onto St. George Avenue. He said VDOT has reviewed this application and has no concern regarding the additional vehicular trips that this expansion in use would generate.

Mr. Reitelbach said based on the findings described in the staff report and the factors identified as favorable, staff does recommend approval of SP202000001 Little Explorers Discovery School, with the following five conditions. He said the conditions are slightly different from the original Special Use Permit to accommodate the fact that the use is now in existence, and to accommodate the expansion and the number of students who would attend.

Mr. Reitelbach said the child day center, however, will take place within the existing church building except for outdoor play within a fenced yard. He said fence and landscaping must be maintained along the western and northern property lines while the child day center use is in operation. He said the maximum number of students present at any time shall be no more than 50 students. He said hours of operation for the child day center shall run from 7:30 a.m. to 6:00 p.m., with occasional special events after 6:00 p.m. He said a staggered morning drop-off period shall be employed by the owner to distribute traffic more evenly across a one and one-half hour period, specifically in the morning.

Mr. Reitelbach said at a public hearing on May 12, 2020, the Planning Commission did vote 7-0 to recommend approval of the Special Use Permit, with the five conditions recommended by staff.

Mr. Reitelbach presented the suggested motions and offered to answer questions.

Mr. Gallaway invited the applicant to speak.

Ms. Christi Gillette, owner and director at Little Explorers Discovery School, said the school opened in January 2019. She said since then, they have grown. She said they opened with an enrollment capacity of 25 students and have grown significantly to where their wait list now has 34 families, including some siblings. She said this is why they are proposing to increase their capacity to 50. She said they still want to stay somewhat small in the community, but also grow to accommodate the growing community of Crozet.

Ms. Gillette presented a picture of the basement room they are hoping to expand into. She said they plan to use the space for pre-K children as well as for a small kindergarten program. She said for the coming school year, they are hoping to accommodate some after-school and school-aged children for COVID-19 in the midst of how the schedule looks like it will be for those students.

Ms. Gillette presented a picture of their outdoor space. She said the closer side in the outdoor space is the preschool playground, which is about 50 yards from any neighbor. She said this is where they spend most of their time during the day, so the noise is actually buffered a bit from being away from the neighbors. She said in the background of the picture was the older children's play area, which is close to the next-door neighbor, but will typically be used after school.

Ms. Gillette said for the school-aged program, they are only actually adding 5-10 more spots than they were already approved for, whereas they are mostly adding for the preschool slots.

Ms. Gillette said one of the concerns was the impact from the traffic. She said their staggered time from dropping off will help distribute the traffic. She said their previous pattern was a car line, which would create too many cars backed up onto St. George Avenue, so they would propose that the children come in with their parents instead.

Ms. Gillette said as far as the rest of the time where traffic comes and goes, at 12:45 p.m., about two-thirds of their students leave. She said caregivers would park and enter the building, post-COVID-19, to pick up their children. She said 2:45 p.m. would be when the schoolchildren arrive, but they are coming on two different buses, so there is not much traffic there at all. She said most of the parents pick up between 4:30-5:30 p.m. and come in staggered throughout that time, so traffic should not really be a problem during any of those times.

Ms. Gillette presented a list of other services they may offer after normal business hours. She said they occasionally hold Parents Night Out on a weekend, or special events such as a holiday party or

end-of-year celebration.

Ms. Gillette said there are no water and sewer demands, and no changes to the land or outdoor space, except for some additions and improvements to the current playgrounds. She said there are no impacts on Fire and Police services from the proposed use.

Ms. LaPisto-Kirtley asked Ms. Gillette if this is a private school.

Ms. Gillette replied yes.

Ms. LaPisto-Kirtley asked Ms. Gillette if she has any scholarships for students who cannot afford it, for diversity's sake.

Ms. Gillette replied currently, they do not. She said they were looking into getting subsidy certified, and COVID-19 hit, so they have not continued with that process yet. She said they will look into that in the future. She said with the extra spots, they talked about doing this if there is space left, especially that year for helping out the school-aged students.

Mr. Gallaway opened the public hearing portion. He asked if there was anyone signed up for the public hearing.

Ms. Borgersen replied that there was not.

Mr. Gallaway closed the public hearing and brought the matter before the Board for further comments, questions, or a motion.

Ms. Mallek **moved** to adopt the Resolution to approve Special Use Permit SP202000001 Little Explorers Discovery School at Crozet Baptist (Attachment D) with the conditions contained therein. 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.

---

**RESOLUTION TO APPROVE  
SP 202000001 LITTLE EXPLORERS DISCOVERY SCHOOL  
(CROZET BAPTIST CHURCH)**

**NOW, BE IT RESOLVED** that, upon consideration of the staff report prepared for SP 202000001 and all of its attachments, the information presented at the public hearing, any written comments received, and the factors relevant to a special use permit in Albemarle County Code §§ 18-14.2.2.7 and 18-33.40, the Albemarle County Board of Supervisors hereby approves SP 202000001, subject to the conditions attached hereto.

\* \* \*

**SP 202000001 Little Explorers Discovery School  
(Crozet Baptist Church) Special Use Permit Conditions**

1. The child day center use shall take place within the existing Crozet Baptist Church building except for outdoor play, which shall take place within a fenced yard.
2. A fence and landscaping must be maintained along the western and northern property lines while the child day center use is in operation.
3. The maximum number of students present at any time at the child day center shall be no more than 50 students.
4. Hours of operation for the child day center shall be no earlier than 7:30 a.m. and not later than 6:00 p.m., except that occasional child day center-related events may occur after 6:00 p.m.

A staggered morning drop-off period shall be employed by the owner to more evenly distribute traffic generated by the use across a one and one half hour period.

---

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

Ms. Price said she wanted to thank the residents of the County for the way that they have handled a lot of what has been happening around the country. She said they have been a model, and she wanted to encourage all residents to communicate with the Board on their desires related to the monuments situation that will be coming up before the Board, either at the public hearing, or through emails or other communications. She said it is important that the Board hears from all their constituents.

Ms. Palmer said she did not have anything to update, although she did send an email to the Board about the demand analysis and safe yield that they received at the Rivanna Water and Sewer Authority Board. She said she assumed there will be a presentation from Mr. Bill Mawyer on his quarterly report, at some point, giving more detail. She said basically, what it showed was that they are doing a very good job of conservation, but that they are looking at their water supply planning and safe yield differently in that they are looking at the operational yield. She said she was surprised they were not doing this all along, but they were doing what was required of the environmental agencies they work with and what was best practice.

Ms. Palmer said she thinks Rivanna is doing a good job. She said the board continues to support the current water supply plan. She said the safe yield analysis and demand analysis are required every 10 years from the permit with the DEQ. She said if there are any questions, she would be happy to try to answer them at a later time and assumed the Board will get a full report when Mr. Mawyer comes to talk to the Board with one of his quarterly reports.

Ms. McKeel said she had a comment about their work with the environment and the changing climate. She said remembering this, they really need to make sure that at some point, they get back to stormwater. She said the reason is because that evening, they had a bad storm, and some Board members had it at their houses while others didn't. She said at her house, they have two rain gauges, which indicated that they received 1.5 inches of rain in 20 minutes. She said this was a rain bomb, had that gone on for an hour or two. She said this is a reminder that the County's work around stormwater is very important.

Ms. Palmer said she wanted to follow up on that same subject. She said they have been talking a lot about stormwater in her district now, with her Planning Commissioner, because of what is going on in the Ivy Corridor with some new development. She said it happens to be immediately upstream from the dam in West Leigh that had significant damage in 2018. She said as many Board members likely remember if they were around, the area around the Ivy Toddsbury and Scott's Ivy Exxon was underwater in 2018 with that flood. She said they have older properties that were already developed, and staff is trying to make sure that this new development meets all requirements and handles the stormwater.

Ms. Palmer said she is getting more and more comments from constituents and people who own property downstream from some of the areas that are flood prone. She said she agrees with Ms. McKeel that this is a topic for the Board's future that is outstanding that she sees locally.

Ms. McKeel said it overlaps the Rural Area and the Development Area, especially the Development Area neighborhoods that are very old that never had the advantage of some of the infrastructure they are putting into the new developments now.

Ms. Mallek said during the discussion with the Health Department, she heard at least three Supervisors talk about concerns and being ready to plan to tighten the leash if things did not go well. She said she wanted to reiterate that and ask staff to be particularly concerned as the IMT continues to meet that they not lose the advantage they have for being careful and keeping the lid on things. She said she would like to know more about more formal processes, going forward, if the IMT can update the Board after the next meeting they have so that they do not continue in "Never Never Land" as things change from day to day.

Ms. Mallek expressed that she would also like to continue working on stormwater, with the different approaches for the Rural and Growth Areas so that they have the ability to move forward. She said learning what they have learned before and continuing on will be helpful.

Mr. Gallaway said on June 24, he was able to attend the Regional Housing Partnership's annual meeting. He said this was a much-reduced meeting than what they had the prior year. He said everyone still did get together virtually. He said there were a lot of changes made relative to the annual meeting. He said last year, there was a big retreat, and this year, a day-long effort had to be canceled because of COVID-19.

Mr. Gallaway said they did go around with all the different partners that sit on that to hear what everyone has been doing in dealing with the COVID-19 situation. He said there are a lot of good people on that committee and heard from the City, UVA, for-profits and nonprofits in the area about how they are dealing with homelessness and affordable housing issues. He said they discussed trying to keep the partnership in short-term and when they start to pull out of this, what the strategy game plan is for that partnership.

Mr. Gallaway said he wanted to make a couple remarks to Mr. Richardson's County Executive Report. He said the Board could agree that they owe a big thank-you to staff that have been manning and handling the outside payments. He said this was a huge effort. He said pulling into the site, one could see the signs directing people to it, and clearly, many people took advantage of that. He said he very much appreciated staff, especially being able to do this outside to help keep people safe.

Mr. Gallaway said he thinks it is excellent they are doing the realignment of Budget and Finance, from the organizational standpoint.

Mr. Gallaway said the Board would be remiss if they did not give a big, official Board meeting welcome to Ms. Nelsie Birch, their newest employee and CFO. He said typically, the Board gets to meet



this person in-person to say hello and have a formal introduction. He said they will all be looking forward to that time to meet Ms. Birch in person. He asked for the Board’s official welcome to be passed along, adding they were excited to see the work she will be doing.

---

Agenda Item No. 24. Adjourn.

At 7:41 p.m., the Board adjourned its meeting to July 15, 2020 at 1:00 p.m., which would be an electronic meeting held pursuant to Ordinance No. 20-A(8), “An Ordinance to Ensure the Continuity of Government During the COVID-19 Disaster.”

---

Chair

Approved by Board
Date 11/03/2021
Initials CKB