

An adjourned meeting of the Board of Supervisors of Albemarle County, Virginia, was held on Thursday, August 6, 2020, at 6:00 p.m. and 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.

The meeting was called to order at 6:00 p.m. by the Chair, Mr. Gallaway. 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."

Agenda Item No. 1. Call to Order. The meeting was called to order at 6:00 p.m., by the Chair, Mr. Gallaway.

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

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Agenda Item No. 2. **PUBLIC HEARING: Court Square – Civil War Monuments and Memorials.** To receive public comment on its intent to remove, relocate, contextualize, or cover the following monuments or memorials for the veterans of a war located on the County-owned portion of Court Square, the site of the Albemarle County Circuit Court at 501 East Jefferson Street, Charlottesville: (1) the statue known as "At the Ready" or "At Ready"; (2) cannons; and (3) stacked cannonballs.

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.

At its July 1, 2020 meeting, the Albemarle County Board of Supervisors took an action to advertise a public hearing to receive public comment on the Board of Supervisors intent to remove, relocate, contextualize, or cover the following monuments or memorials for the veterans of war located on the County-owned portion of Court Square - the statue known as "At Ready", cannons, and the stacked cannonballs.

According to state code, after the public hearing, the Board may vote on whether to remove, relocate, contextualize, or cover the monument or memorial. If the Board votes to remove, relocate, contextualize, or cover the monument or memorial, it must first offer for a period of 30 days the monument or memorial for relocation and placement to any museum, historical society, government, or military battlefield. If the County still has the monument or memorial after step 4, it may then remove, relocate, contextualize, or cover it.

The public hearing will provide a forum to receive public comment on the future of the At Ready statue, cannons, and stacked cannonballs located at 5th Street NE and East Jefferson Street, in front of the historic Albemarle County General District Courthouse at Court Square.

Opportunities for community engagement began February with face to face offerings at Yancey School Community Center, Sutherland Middle School, and Lane Auditorium as well as a guided tour of the Court Square property. Staff resource was diverted in response to the COVID-19 pandemic and engagement was temporarily paused, resuming in June with additional panel discussions and community conversations hosted virtually. An online public input platform was launched at the same time, soliciting community response to questions related to expectations and experience of the Court Square property, hosting a virtual tour, and offering video of the panel discussions. Attendance across all live engagement opportunities totaled around 600 individuals; there were over 3300 views of the online hub, and 709 posted comments.

A report of all comments submitted to the public input site, Let's Talk Albemarle: Court Square is provided in Attachment A. A work group comprised of County staff, representatives of the Historic Preservation Committee, and County residents who previously served on the Office of Equity and Inclusion's equity working group reviewed the feedback to identify themes (Attachment B).

If the Board of Supervisors takes action to remove, relocate, contextualize, or cover any Civil War monument or memorial on the County's property at Court Square, funding for that purpose may be provided from the Reserve for Contingencies included in the FY 21 budget. If directed, staff will prepare an appropriation request for a subsequent Board of Supervisors meeting.

Staff recommend the Board of Supervisors receive public comment during the public hearing to inform decision-making with regards to the removal, relocation, contextualization, or covering of At Ready, the cannons, and the cannonballs. Staff can prepare a resolution as the Board directs.

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Mr. Jeff Richardson, County Executive, said he had staff available on the call as well, including Ms. Siri Russell, Director of the Office of Equity and Inclusion.

Mr. Greg Kamptner, County Attorney, said they were holding the public hearing on the Board's decision on whether to remove, relocate, contextualize, or cover the monuments in the County portion of Court Square Park.

Ms. Siri Russell said she would give a quick overview of the engagement process. She said in following the Board's direction on January 8 of that year, her office launched "Let's Talk Albemarle: Court Square," which is an engagement initiative to create a community conversation on Court Square property's public space, where County staff engaged residents in a dialogue around shared history and public values.

Ms. Siri Russell said the engagement process began in February of that year and after four live engagement opportunities, they paused for COVID before continuing on that summer.

Ms. Siri Russell presented a slide providing an overview of the many efforts that went on to engage the community in the conversation, including listening sessions, Court Square tours, both in person and virtual, panel discussions, an engagement hub, and considerable outreach efforts. She noted there were many participants who made all of this happen, including leadership from the Communications and Public Engagement Office and the support of many community partners, and expressed her appreciation to them.

Ms. Siri Russell said the County asked the community to reflect on its values as well as the meaning and function of public space at Court Square. She said they heard a lot of feedback from a lot of people. She said a group comprised of County staff, members of the Historic Preservation Committee, and County residents who had previously engaged with the Office of Equity and Inclusion on initiatives, met to synthesize and absorb all the feedback they heard.

Ms. Siri Russell said Ms. Liz Russell of the County's Historic Preservation Committee was present that evening and would share the feedback they heard.

Ms. Liz Russell said as a result of the events and engagement opportunities, almost 26,000 words were submitted by community members to convey their thoughts and feelings on the Court Square property. She said a small group reviewed these, and they developed five common themes, which she presented on a slide. She said she would go into more detail around these themes, adding that the slides also contained examples of quotes from community members.

Ms. Liz Russell said the first commonly heard theme was that of history and heritage. She said this was one of the most notable themes, and the importance of Court Square as a historical site was frequently expressed. She said Court Square was described as a space for education and preservation of history. She said although there were some diverging opinions, overwhelmingly the public stressed the importance that Court Square tell an accurate and inclusive historical narrative.

Ms. Liz Russell said some noted that the stories told through existing markers and memorials lacked a deliberate or cohesive story of history, that it was disjointed, and that it needed a more balanced historical narrative.

Ms. Liz Russell said the idea of community and community values was also prevalent in the engagement around Court Square. She said there was a strong sense that Court Square should be designed for the community as a reflection of its values, a place to gather, and a site with a responsibility of justice for all.

Ms. Liz Russell said specific suggestions to make the space more community oriented included use of green space, to install more seating area, and to provide more of a direction connection to justice in the community.

Ms. Liz Russell said justice and inclusion was another commonly heard theme. She said although many comments asserted that Court Square must reflect the community's values, specifically around inclusion and justice, many community members suggested that the current state was not inclusive and did not reflect ideas of justice, particularly with the presence of the "At Ready" monument.

Ms. Liz Russell said many of the comments noted that the presence of "At Ready" does not represent the community's values of equity and justice, and that its placement at the entryway to the courthouse is inappropriate.

Ms. Liz Russell said safety and a sense of welcome were themes frequently mentioned and commonly tied together. She said they heard that Court Square space should be safe and welcoming for all members of the community.

Ms. Liz Russell said the final theme is one of cohesion and connection. She said a point that was made clear in every discussion and engagement opportunity was the sense of a collective history and experience in the community as it relates to Court Square. She said although this engagement process was aimed towards Albemarle County, there was much mention of the broader community's understanding of Court Square as a shared space, regardless of jurisdictional boundaries. She said several community members expressed a strong interest in seeing the City and the County consider the entire Downtown Courts District as one use of space.

Ms. Liz Russell said this concluded the summary of the main community themes around Court Square.

Ms. Siri Russell said this concluded the staff presentation and offered to answer any questions from the Board.

Ms. McKeel said she would like to thank Ms. Siri Russell and the team for the packet the Board received that contained all the comments. She said this was very helpful.

Ms. Palmer and staff noted that Ms. Mallek was having technical issues and that staff was helping her log into the meeting.

Ms. Price said the presentation was informative for her. She said she watched the recorded community interaction and appreciated the information staff provided the Board. She said it helps put the totality of what they are dealing with into context, which is that this is much more than just the statue, two cannons, and cannonballs. She said it is the entire area the Board needs to look at.

Ms. LaPisto-Kirtley thanked staff for doing all this work and getting the input from the community. She thanked them for holding the community engagement events.

Ms. Palmer agreed with her fellow Board members.

Mr. Gallaway said he appreciated everyone who participated from the community for all the input they provided so that the Board knew where they stood on this.

Mr. Gallaway asked if Ms. Mallek was in the meeting yet and heard no response.

Mr. Gallaway asked Mr. Richardson if it was reasonable for the Board to go to Mr. Kamptner for consideration of the resolution, or what the resolution states.

Mr. Richardson replied yes.

Mr. Gallaway noted there could be questions about the resolution itself. He asked Mr. Kamptner if he could present it on the screen.

Mr. Kamptner asked Ms. Emily Kilroy to post the resolution on the screen.

Mr. Gallaway said while staff was bringing up the resolution for viewing, he knew that each of the Supervisors has had a chance to read the resolution. He asked the Supervisors if they had questions about the resolution.

Ms. Palmer said she had one small question. She said in the portion that says, "Be it further resolved that any statement of interest in the memorial from a museum, historical society, government, or military battlefield must be received by the County no later than September 5, 2020 if sent via email," it says that the Board will have the sole control over what happens to it after the one-month period.

Ms. Palmer asked Mr. Kamptner and the Board if it would be appropriate to have something in the resolution as an indication to the public that the Board would still take requests for a specific period of time if nothing has been done in the one-month period. She said this would let the public know that they are not closing the door to it going to a historic society, government, or militia after that one-month period. She said she knew it would have to be a finite period, but she thought that if there is someone trying to organize a place for the statue to go, that this may not be able to be done in short order. She said additional language would be a signal to the community that they are not closing the door at that point in time.

Ms. Palmer said perhaps there was a good reason why they would not want to do that, and perhaps the rest of the Board would not want to.

Mr. Kamptner said there is nothing in the resolution currently that limits the Board in any way. He said it was the message that comes out after the 30-day period. He said there were two paragraphs currently shown on the screen, and that the top one dealt with requiring the particular organizations to show interest. He said this is to meet the minimum requirements of the statute. He said the last paragraph is the portion that pertains to the Board exercising its sole discretion, and that this was also pulled out from the statute.

Mr. Kamptner said what Ms. Palmer was suggesting was fine. He said there is nothing in the resolution itself that limits the Board from not considering other groups that are not within the classes that were identified in the statute.

Ms. Palmer said she was just thinking about interpretation by the public and signaling that the Board is open more broadly to discussion for some period of time after the one-month period. She said the way that she read it was that after the one month, it resulted in a communication issue for her. She said she didn't know if anyone else had any interest in adding a few words.

Ms. Price said that she believed the resolution was adequate as it was written in the timing. She said it does not preclude the Board [inaudible] a decision after September 6 if the decision is to remove it and if none of the qualifying organizations have met the requirement. She said she thought the resolution is fair as drafted.

Mr. Gallaway said he agreed with Ms. Price, and was of the mind that even if nothing is locked and loaded in the first 30 days, if the interest is there, the logistics can be worked out after the 30 days. He said if they go 30 days and have not heard interest, he would be shocked if they came in 60 or 90 days later. He said he was satisfied with the wording as it was.

Ms. McKeel said she was satisfied as well.

Ms. LaPisto-Kirtley and Ms. Mallek agreed.

Mr. Gallaway opened the public hearing.

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Mr. Alex Taurel said he is the Conservation Program Director at the League of Conservation Voters, which is a national environmental nonprofit organization. He said he and his family live in Charlottesville and that he was speaking on behalf of the League of Conservation Voters members in Albemarle County and the City of Charlottesville.

Mr. Taurel said the League of Conservation Voters works to protect public lands and parks and to make nature more accessible for all people in the country. He said recent events have highlighted that while parks and public spaces may be accessible for many people, it doesn't mean those spaces are safe and inclusive for all. He said from a white woman calling the police on a Black birdwatcher named Christian Cooper in New York's Central Park to peaceful demonstrators (many of whom were people of color) exercising their First Amendment rights behind tear gassed in Lafayette Park outside the White House, there continue to be videos seen of Black people and other people of color being made to feel unsafe and unwelcome in the outdoors and in public spaces.

Mr. Taurel said his feeling of safety and inclusion is something that he, as a white person, takes for granted in public spaces, but that all people have a right to it.

Mr. Taurel said the Johnny Reb statue, cannons, and cannonballs collectively celebrate people who fought to keep Black people enslaved. He said they are monuments to racism and white supremacy, and their function is to intimidate Black people. He said there is simply no way that Court Square can be an inclusive and welcoming park and public space for all people in the community, not to mention the site of a courthouse where justice is supposed to be delivered equally, so long as those offensive statues are present.

Mr. Taurel said on behalf of the League of Conservation Voters and their members in the County and City, they strongly urge the Board of Supervisors to remove the monuments immediately.

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Ms. Leslie Middleton (374 Shepherds Ridge Circle, Rio District) thanked the Board for supporting the community engagement process that has been open, transparent, inclusive, and educational. She also thanked the Board for returning to the issue of the Court Square statue in such a timely manner and for scheduling this hearing as soon as practicable after July 1.

Ms. Middleton said it is well documented that this statue was erected with the intention of intimidation of African Americans during the Jim Crow era, a time rampant with the promotion of the false narrative of the Lost Cause. She said its placement at the entrance of the halls of justice is beyond a mere pouring of salt on wounds and is unconscionable. She said it is difficult, if not impossible, for the community to envision what the County-owned public space around the statue should be while the Johnny Reb statue remains in place.

Ms. Middleton said with the design of renovations of the courthouse about to commence, this is a perfect time to start over and start with a blank slate -- not with a 29-foot marker that was designed and installed to intimidate, watching over everything. She urged the Board to make the decision that night to remove the "At Ready" Johnny Reb statue now with the resolution before them.

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Mr. Frank Dukes (Rio District) thanked the Board for taking on an issue that would have been very easy to avoid. He said there could be many reasons not to address this right now. He said they know that removing the statue is not going to end the lingering effects of white supremacy and racism, but they

know that it is a step the Board can actually take.

Mr. Dukes said he strongly supported the resolution. He asked the Board not to let the statue go to a location where it can regenerate the same intimidation, as they know this is happening in other places around the country with people putting monuments and Confederate flags on private property. He reminded the Board that they get to decide where it goes and asked them to consider the impact on other people as they remove it.

Mr. Dukes thanked the Board for its work and resolution, adding he looked forward to hearing the vote.

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Ms. Kristin Szakos, Charlottesville resident, said she served for eight years on the Charlottesville City Council, through 2017. She said on February 6, 2017, after a year and a half of deliberation and public engagement, the Charlottesville Council voted to remove the statue of Robert E. Lee and rename Lee Park. She said that summer, they voted to remove the statue of Stonewall Jackson as well.

Ms. Szakos said these two statues, along with the Confederate soldier who guards the entrance of the Albemarle County Courthouse and whose fate the Board was considering that night, are part of a false narrative of history that has no place in the community today. She said it was put forth as the South was tearing down the Civil Rights provisions of Reconstruction and reestablishing white supremacy in all its institutions. She said in this false narrative, they enforce the message that Black residents in the former Confederacy should not expect equality at the polling place, workplace, or marketplace, and certainly not in the courthouse.

Ms. Szakos said she was sure the Board had been told that these statues represent the community's history and that without them, they could forget that history. She said these are not historical memory aids, however. She said they were erected as propaganda to a lost cause and that they are still propaganda, sending the clear message that the Confederacy and the cause it fought for are revered here. She said they know this is not true today, and that it never was.

Ms. Szakos said the Confederate soldier in front of the courthouse was not intended to speak for the Black residents of Charlottesville or a majority of the County's population when it was installed, nor did it represent the thousands of Albemarle County residents who supported the Union cause. She said today, Americans of all races are coming to understand the real history of these Confederate statues and the message they continue to convey today. She said that message is nowhere more clear than for these statues in front of County courthouses, and clear to every Black defendant who must pass them on their way to court, that this space is preserved for the Confederate cause and that they will find no justice there.

Ms. Szakos thanked the members of the Albemarle County Board of Supervisors for their commitment to telling the true story of this community through the removal of the Confederate soldier. She said it should not take extraordinary courage to tell the truth, but she knows that it does and was grateful the Board has it.

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Ms. Linda Dukes (Rio District) thanked the Board for being courageous enough to bring forward this issue at this time. She said she has lived in Albemarle County for 37 years. She said she supports removing both the Johnny Reb statue and the cannon flanking it. She said at the time of the Civil War, over half the residents in Albemarle County were African Americans who were oppressed by the military forces represented by this statue. She said for over 100 years, it has stood in front of the courthouse, signaling that Black residents are not valued as highly as white residents in the justice system. She said this is not the message that she, as a white person, wants expressed, especially in the 21st century.

Ms. Dukes said removing the statue is one small step they can take towards justice. She said there was much more work to do, but that this was a start.

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Ms. Tracey Hopper thanked the Board for an opportunity to speak and for their hard work during this process. She said she has lived in Charlottesville since 1984, living for over 15 years in Albemarle and for over 15 years in the City, where she currently resides.

Ms. Hopper said she has practiced law in both Albemarle and Charlottesville since 1996 and wanted to share with the Board that when she walks to the Albemarle Circuit Court with a client (especially with a client who is a person of color) for a court proceeding, it is remarkably uncomfortable and embarrassing when they are immediately confronted with a looming Confederate soldier with artillery at its feet and whose pedestal has a Confederate flag, front and center.

Ms. Hopper said as has been stated by prior speakers, the clear message this gives explicitly, as well as implicitly, is that the Confederate South, with its veneration of slavery and its values of bigotry and racism, is still in control and alive and well in Albemarle County. She said she knew this was not the message that the County wants to communicate to people looking for justice and to the citizens.

Ms. Hopper said this interferes with the notion of a fair and neutral judge and interferes with the values espoused by the U.S. and Virginia Constitutions, that all persons are entitled to equal justice and equal treatment under the law.

Ms. Hopper said these symbols of racism and bigotry are an assault and an embarrassment. She said they are unfair to her clients, other parties before the court, lawyers, judges, to the Board, and to the community at large. She asked the Board to make this right and clean up the mess made by their Jim Crow era predecessors by removing the Johnny Reb statue, its pedestal, the Confederate cannons, and cannonballs from in front of the Circuit Court and relocating them to a Confederate cemetery, museum, or smelting furnace.

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Mr. Brian Slaughter, President of the Charlottesville-Albemarle Bar Association, said the association held a vote that day regarding the resolution supporting removal of the memorial, which passed overwhelmingly. He read the resolution aloud into the record.

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Mr. Bruce Williamson said he is a resident of the City of Charlottesville and former President of the Charlottesville-Albemarle Bar Association. He said he appreciated the opportunity to address the Board and commended the Board for its speedy action on this issue, once permissible by law.

Mr. Williamson said the Johnny Reb statue sends the message that others have described, but that it sends a second message, not to the Black community but to the white community. He said this message was, "We are in charge. This is our place. If you're white, you're doing okay here." He said both of these messages are destructive, and that the message it sends to the Black community is even more destructive. He said sowing the seeds of confidence in one's superiority is something that takes a lot of overcoming, as they have seen in recent days and as they will into the future.

Mr. Williamson said the pernicious political statement and message from the statue has never had a place at the entrance to the courts of justice. He said it supposed it did when the courts of justice actually reflected the situation where they were unequal, but that they are past this, and the time has long since come for Johnny Reb to be retired someplace else where hopefully, as Mr. Dukes mentioned, the general public cannot see him when they drive by. He urged the Board to proceed and adopt the motion.

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Ms. Ramona Martinez (Jack Jouett District) thanked the Board for taking up this issue so quickly after the law was passed. She said she believed Albemarle was one of the first counties in Virginia to do so, and that she would like to express her appreciation for that.

Ms. Martinez said her father is a proud Texan and comes from a long line of Texans. She said he is Tejano, which means a Mexican American Texan, and that her family has lived in that part of the South since before Texas became a state. She said even though Texas was a part of the Confederacy, to argue that Confederate statues represent the South or Southern culture is a lie. She said even though the South was briefly controlled by this government founded on white supremacy, that is only four years of a much longer history and a much larger culture.

Ms. Martinez said to her, Southern culture is Mexican, Black, indigenous Blair Mountain, and Selma. She said it is all the people in Charlottesville and Albemarle who have been told that they are violating the norms of civility by refusing to let Southern culture mean white culture.

Ms. Martinez said Albemarle County has an opportunity to set the record straight on this account because removing these statues is not removing history or Southern culture. She said it is an acknowledgment that one group of people does not have claim on the land that was never theirs to begin with. She said the South belongs to everyone, and that removing this statue is one small step towards the acknowledgement of that truth.

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Ms. Cali Gaston thanked the Board for the opportunity to speak and for the alacrity with which they have taken this issue on. She said she was deeply grateful. She said she was afraid her words would be redundant, but that she wanted to say them because everyone needs to keep hearing them until things change.

Ms. Gaston said that Ms. Jennifer McClellan, who is a lawyer who has served for 14 years in the State Senate and is now running for Governor, describes the message of the Confederate statues in the C-Ville as, "Life, liberty, and justice for all doesn't mean you." She said the committee to erect Johnny Reb was formed in 1899, one year after the lynching of John Henry James. She said the chair of the committee was the prosecutor who chose not to prosecute any member of the lynching mob. She said there is a message in this: Black people are not safe in Albemarle County.

Ms. Gaston said the statue was installed in 1909 on the anniversary of the founding of the Monticello Guard, which was a slave patrol; another echo of the racist message of that statue. She said the message, loud and clear from the beginning, is that Black people who want justice in Albemarle County won't be getting it. She said this is immoral, illegal, and wrong. She urged the Board to remove the "At Ready" statue as soon as possible. She thanked the Board for setting an example of courage as they vote that evening.

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Mr. Seth Ragosta, Samuel Miller District, said he is a shareholder at Flora Pettit, which is a law firm in the City. He said he practices family law and civil litigation. He said he has been a resident of the

community, off and on, in various ways since 1999, and graduated from UVA as an undergraduate and a law student. He thanked the Board for picking up this issue quickly and leading the Commonwealth in addressing these issues under the new law that was secured by the new legislature.

Mr. Ragosta said others have made the points about the history, social connections to white supremacy, and the false historical narrative that this statue represents. He said he would like to share his experience as a civil litigator and family law attorney.

Mr. Ragosta said other than his colleagues who appear on criminal matters, he is in court as much as most anyone, and particularly in the Circuit Courtroom. He said when they go in, they are not paying attention to the symbols. He said they are focused on the table, the arguments, and the binders they have. He said his clients are focused on their testimony and perhaps the money they have had to pay him.

Mr. Ragosta said they then go into a hearing on something that is often precious to his clients. He said it could be money but could be custody of their children. He said sometimes, despite his very best efforts, he and his clients lose. He said when his clients lose, they question justice, the community, and the systems that have been put in place. He said in Albemarle, there is no space to debrief and process those results in the courthouse. He said they step outside down the steps and into the courtyard, noting it is a beautiful space aesthetically, look up, and see Johnny Reb – a statue representing men who fought to break the country to keep Black people enslaved.

Mr. Ragosta said when a judge is asked to recuse themselves, meaning to step down and not hear a case, the standard of whether that should happen is whether the judge's impartiality might be reasonably questioned, and whether the public would be left with a perception of fairness that results in confidence and the integrity of the judiciary. He said when his clients stand, looking up at that statue, having lost and dealt with the consequences of justice and wonder about that question, this statue does not tell them that there was integrity, justice, or impartiality in the process, and particularly to his Black clients.

Mr. Ragosta said he has stood with many Black clients and have watched their eyes raise to that statue. He said this is unacceptable and asked the Board to take the statue down.

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Mr. Ken Horne, Jack Jouett District said he would be reading a statement from Indivisible Charlottesville, which is a progressive advocacy organization whose participants include more than 1,200 residents of Albemarle County. He read the statement aloud, which urged the Board to remove the Johnny Reb statue from Court Square.

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Mr. Matthew Christensen, Rio District, said in May of 1909, a statue of a Confederate soldier was installed in front of the Albemarle County Courthouse. He said UVA and Charlottesville businesses closed for this large event in which UVA students joined a parade of 1,000 schoolchildren singing "Dixie" and carrying Confederate flags. He said the white supremacist values guarded by Johnny Reb were expressed during the statue's unveiling when a speech by a Confederate veteran praised the Confederacy as a righteous cause and bemoaned reconstruction as an expansion of a worse slavery; that of whites under Black rule.

Mr. Christensen said echoes of this specious claim of white victimization reverberated again three years ago next week, with the Alt Right slogan, "You will not replace us."

Mr. Christensen said the 1909 speaker's proposed solution to the alleged tyranny of a Black majority was the imposition of an iron-fisted law and restraint, which became codified in Jim Crow segregation laws.

Mr. Christensen said Confederate symbols are not neutral historical objects. He said they represent a heritage of hate.

Mr. Christensen said in the community, violent mobs of white supremacists rallied under the stated purpose of defending these Confederate statues. He said long before and after the Unite the Right rally of 2017, the Alt Right's ideal white ethnic state, the Confederate States of America, has been defended by Johnny Reb from the lawn of the courthouse, where equal justice under the rule of law is supposed to operate, according to the U.S. Constitution, which the Confederacy sought to destroy.

Mr. Christensen said in 2015, Judge Martin Clark, Jr. of Martinsville removed a portrait of General Jeb Stuart from the courthouse because, "The courtroom should be a place every litigant and spectator finds fair and utterly neutral."

Mr. Christensen said it is past time to remove this 109-year-old hateful relic from the public space.

Mr. Christensen said he has a master's in social work with a clinical track and wanted to say a quick note on trauma. He said he was reminded that day of the trauma he experienced on August 12, out of the shadow of that statue. He said he was reminded of the people that he sat with and the hands he held during the trial of James Fields. He said he was reminded of how he feels every single time he walks past the County Courthouse and sees these statues shadowing over what should be a place of justice.

Mr. Christensen said he cannot imagine what it must feel like for someone as not as white as he is to see those statues. He asked the Board to remove the statues.

Ms. Mary Bower said she used to serve as the Executive Director of the Legal Aid Justice Center but was attending that evening in a personal capacity as a civil rights lawyer residing in the City of Charlottesville.

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Ms. Bower said so many people that evening spoke about the message that is sent to people of color who come to the courthouse seeking or hoping for justice. She said the Johnny Reb statue is a symbol of the great cause of the Confederacy, which was slavery. She said as such, it sends a powerful message that justice exists in the courthouse for only some people. She said this message is more than a sufficient reason to get rid of this statue. She said it is a statue that does not belong on government property and does not particularly belong anywhere near the courthouses. She said a monument to white supremacy has no place in the public square.

Ms. Bower said that in addition to the offensive and unwelcoming message the monument sends to litigants coming before it, she would also suggest that its presence demeans everyone who participates in the justice system in the community. She said it offends them all and negates the work that so many do to serve as part of the justice system and working towards a better and more just world. She said everyone in the community deserves better than this. She asked the Board to take a sledgehammer to the statue and to take it down.

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Mr. Mark Beliles, Rio District, said he has a different viewpoint than most others in the meeting. He said he opposes removing the statue but does support modifications and additions. He said he has been a resident since 1981 and has constantly volunteered with preservation and education of all parts of local history. He said he was also the co-chair of Charlottesville's 250th anniversary in 2012 and for 12 years before that, he was co-chair of the City's Historic Resources Committee as well as an initial committee member of the Court Square renovations that took place in 2006.

Mr. Beliles said he believes that as real as so much of the pain expressed here and at the other meetings he sat in on leading up to this one are, and as the points are important and need to be considered going forward, the courthouse being historically important, as it was used by three of the earliest Presidents and with the Civil War history impacting this area more than any other event in the County's history with its loss of life and economic impact, these are reasons why the statues are there, which are beyond of the motives that are clearly not true on the part of some that are racists or white supremacists. He said lives were lost, and that they want to remember the tragedy and see it not happen again.

Mr. Beliles said if they only proceed because of bad and racist motives and because of things that happened in the past, there is no logical reason not to remove any references to Jefferson, Monroe, or Madison. He said they have to come to grips with other things, such as who was in power during all the years of Jim Crow, slavery, and segregation, and even those who were in power when they put up the statues. He said they could assign motives to the Democratic party that was in power the whole time.

Mr. Beliles said he didn't believe that was the way to go. He said he believes if the Jackson monument is removed, which was completely out of scale and not for a resident, and with more monuments added for Black history and civil rights, he believes that in some ways, there is more balance and they can create something that celebrates or at least educates on the good, bad, and ugly of their history. He said he believes they can create a more balanced perspective and a sense of representation of everyone. He said it would give a more complete, diverse history of the County. He said he supports keeping the statue but changing it in many ways.

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Mr. Kelly Chamberlain, Rio District, said he spent 21 years in the Navy and has lived in the area for the last 20 years. He said throughout his travels, he has seen a lot of racial injustice and people getting along in all capacities in different countries. He said being from the Union, when he hears about white supremacy, he thinks to how his ancestor, Joshua Chamberlain, is who accepted the orders to retreat and handed things from Lee to Grant in Gettysburg. He said his ancestor fought in Gettysburg alongside both white and Black men.

Mr. Chamberlain said he questions the idea of the white supremacy link and that because his experience in the Navy, he understands different ideologies, especially in the South. He said the idea of white supremacy almost sounds like Democrat supremacy. He said it covers up some of the icons of the era. He said Mr. Beliles' comments went along the same lines as his in that being in the Union and coming from the North, he should say they should take down all the history, but that this is part of history.

Mr. Chamberlain asked if there was a way to rename the plaques and tell a story on them. He said if they update the plaques to what they really symbolize and identify what was going on in the era of the ideology of the Democratic party then, it might be an amicable and cost-effective way of looking at it. He asked where things end once they start taking statues down.

Mr. Chamberlain said this came from McIntire, and that the family owned slaves. He said they have not renamed that park yet, and he wondered if the Board has intentions in the future to rename the park and McIntire Road. He said these are all things that are very important and that he is a big



proponent not of division, but of unity. He said for him, it is "All Lives Matter." He said Black lives matter too, but that all lives matter and that this is the way God, his country, and his parents raised him.

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Mr. Jim Hingeley, Scottsville District, said Mr. Chamberlain and others have mentioned that the statue is history and therefore the County should be cautious about removing it but he disagrees with the characterization that the statue is a historical memorial. He said it is only partly a memorial and that mostly, it is a pernicious symbol of the restoration of white supremacy after the end of Reconstruction.

Mr. Hingeley said the statue went up seven years after Virginia's Jim Crow Constitution in 1902 was adopted. He said this was a constitution that took away voting rights of African Americans with poll taxes, property requirements, and literacy tests. He said at the same time, it exempted Confederate veterans, like Johnny Reb, from loss of their voting rights. He said the constitution worked and that African American voters on the rolls dropped from 147,000 in 1901 to 10,000 in 1905. He said the 1902 constitution also enshrined segregated education in Virginia.

Mr. Hingeley said it is clear that the statue was put there for a reason and that it was not about past history. He said the statue stood literally at the courthouse door to signal to African Americans that they would not be entitled to equal justice when they cross the threshold of the courthouse. He said fair play was not part of the regime of Johnny Reb and Jim Crow.

Mr. Hingeley said leading the effort to put Johnny Reb at the courthouse door was by Micajah Woods, who was then the Albemarle Commonwealth's Attorney. He said he was the one who did not prosecute anyone for the 1898 lynching of John Henry James. He said he was also a Confederate veteran. He said it was not hard to imagine what quality of justice African Americans could expect at the hands of that prosecutor.

Mr. Hingeley urged the Board to remove the statue. He said in terms of McIntire, Albemarle County taxpayers were paid to put up the statue by Paul McIntire. He asked everyone to agree that this symbol of white supremacy and oppression of African Americans should no longer stand guard over the courthouse. He asked to stop venerating a Confederate soldier who took up arms against the United States. He said there is a word for that: treason. He asked to remove the statue that, by its very placement at the courthouse door, calls into question the County's dedication to equal justice for all.

Mr. Hingeley said he agrees with those who say that removal of the statue won't solve all the problems of systemic racism in the justice system. He said symbols having meaning, however, and so this is an important step in the right direction. He asked to take that step and rededicate themselves to the cause of equal justice.

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Ms. Rebecca Girvin-Argon, Rivanna District, said she was speaking to add her voice to those of others calling for the removal of the Confederate statue at the courthouse, which is known colloquially at "Johnny Reb." She said it is time for Americans to acknowledge that racism is endemic in the society, and time for people of conscience to speak up loudly against this injustice. She said it is also time for government officials, including the Board, to take the legal actions possible to rid civic spaces of racist symbols like this statue.

Ms. Girvin-Argon said it is clear from history that when the statue was erected in 1909, it was meant to perpetuate the idea of white supremacy. She said its celebration was one of the Confederacy and of the control of local government by white people.

Ms. Girvin-Argon said as a County, they should be a leader in fighting racism. She said in some ways, they have tried to be, but they can do much better. She said they should set an example for Virginia and the nation that people can come together to fight injustice and to make change when it is the right thing to do.

Ms. Girvin-Argon urged the Board to remove the statue and thanked them for the action she hoped they would take.

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Ms. Irene Weir, White Hall District, said she is a lifelong Virginia resident. She asked the Supervisors to relocate the statue to a museum with the proper context. She said this statue was built by a constituency that no longer truly mirrors the constituency today. She said she can feel this in the opinions shared by her neighbors on the call.

Ms. Weir said Charlottesville's Johnny Reb statue is one of hundreds of cheap, mass-produced, cast bronze Civil War statues made in the late 19th and early 20th centuries. She said the Johnny Reb statue was, itself, meant to erase the history of Reconstruction, selectively forgetting that the country was moving on from slavery. She said this was not specific to the area or to history, except for a reminder of an exclusively white group of local and state government officials and a private organization, United Daughters of the Confederacy, vowing to gain the upper hand.

Ms. Weir said furthermore, Johnny Reb's placement on the courthouse lawn announced that the rule of law was a white preserve, effectively warning Black Virginians entering the courthouse to expect injustice therein. She said to her and to many others, Johnny Reb is an intimidating piece of propaganda. She said she therefore humbly requested that they relocate the statue and contextualize it with the

appropriate history. She said to her, the statue does not advocate, nor symbolize, the unification of the United States after the Civil War, nor does it promote inclusiveness or justice for all.

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Ms. Lydia Brunk, Samuel Miller District, said she would thank those who have shared important historical information and echoed those who supported the removal of the statue as soon as logistically possible. She said she wanted careful consideration of where the statue ends up, with a preference for its destruction rather than its relocation in a place where it would cause harm.

Ms. Brunk said there are many ways to recognize and understand history. She said if after the statue is removed, they would like to consider putting up a plaque to recognize the fact that they had such a racist statue in their midst, that is something they could do.

Ms. Brunk said she has also heard people asking, "What's next?" and if they have to consider the racist history of the founding fathers and founding community members, such as Jefferson. She said she would say yes, and that she would welcome and support a reckoning with the racist history of society and of this specific community. She said she hoped the removal of the statue is just the first step on the path to greater reflection and introspection.

Ms. Brunk said if they cannot take so simple and so obvious a step as the removal of an unequivocal monument to white supremacy, she wonders how they can expect to face deeper issues in the community with courage and care.

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Ms. Laura Brunk, Samuel Miller District, said she was not going to speak that night until she heard a single voice opposing the removal. She said since they have heard that, and because they understand there is power in numbers, she would like to say that in standing with the vast majority of the eloquent and powerful speakers in this forum, she supports the removal of this statue. She said there is no way to adequately add edit to a symbol and celebration of white supremacy.

Ms. Laura Brunk said the two men who spoke against the removal of this statue suggested that it may lead to further action and to investigating and opposing white supremacy in the County. She said she questions why this would ever be presented as an issue. She said as many have suggested, the removal of the statue is essential. She said it is right and just that it should lead to a continuing process of removing white supremacy from the County, state, and country.

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Mr. Kent Schlusell said he has lived in Albemarle County since 1977. He said he went to a school of the South, at a small school in Lexington Virginia, and went to grad school at UVA. He said he has lived in the South for most of his life, except for a few years in the service.

Mr. Schlusell said looking at the statue itself and not at the pedestal, it is just a generic soldier. He said one can see the same soldier in statues in the North, with Union soldiers looking the same way. He said he agrees that while the statue is part of history, he also agrees that it has no place in front of the courthouse. He asked if they remove the statue, what happens then.

Mr. Schlusell said he participated in one of the Court Square workshops, and one of the suggestions he had is that because Albemarle County has hardly any place to go where someone can get a quick overview of the historical events that happened there, it would be nice to create a garden on the side of the courthouse with stones about significant events. He said he would never put up a statue again because everybody has problems with statues. He said the stones could talk about when the County was founded, when the first courthouse was built, and what wars they fought in. He said perhaps they can put in a war memorial with a different context.

Mr. Schlusell said he wanted to capture the historical perspective that was mentioned at the beginning by staff. He said they need to capture the history, but not have the statue there. He said that way, when people come to the courthouse, there would be no statue from the Civil War, but there would be a nice garden where people could sit, with flat stones recognizing events in Albemarle County. He said he thinks the statue does need to go.

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Ms. Brenda Brown-Grooms, pastor at New Beginnings Christian Community in Charlottesville, said she is a native of Charlottesville. She said she was referring to a brilliant article from the New York Times from two weeks earlier. She said a woman who was African American, as she is, said if monuments are wanted to the history of race in the country, her body is one, and that they do not need any statues. She said she didn't understand why they insist on preserving the history that is so fraught with cruelty and injustice. She said it is against everything they claim as American.

Ms. Brown-Grooms said she is African American, so she is quite acquainted with not living up to creeds. She said one thing that COVID-19 has taught her, and is teaching the world, is that it is time to stop the foolishness and to be about all people. She said this world does not belong to her any more than it belongs to another. She said people need to figure out how to live together. She said it is more than offensive to her to have those statues on ground that her ancestors bled for.

Ms. Brown-Grooms said she and her people have already paid for this country, and that it is time for the history to reflect her story, natives' stories, and everyone else who has been "othered."

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Ms. Lisa Brook said she has lived in Albemarle County since 1999 and before that, attended UVA. She said she feels the County is a wonderful place to live and has raised her family there. She said she is grateful for the work the Board is doing on this matter.

Ms. Brook said one thing she has not heard in this debate is the comment of General Robert E. Lee who, whatever one may say about him, was respected and revered by the people who followed him, including the people of Virginia. She said Robert E. Lee wrote a letter in August of 1869 in response to an invitation to join officers at Gettysburg to march through positions in granite for posterity. She said Lee wrote, "I think it wiser, moreover, not to keep open the sores of war, but to follow the examples of those nations who endeavor to obliterate the marks of civil strife, to commit to oblivion the feelings engendered."

Ms. Brook said if there is any doubt that this statue had any purpose other than to assert white supremacy and the values around the Jim Crow laws that were passed after Reconstruction, they should let the words of General Lee guide the Board in deciding that they must take down this statue and respect the rights and interests of all Virginians in access to the court.

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Mr. Gallaway closed the public hearing and brought the matter back to the Board.

Ms. McKeel thanked the community for their respectful participation in conversations, tours, virtual discussions, emails, and personal outreaches. She said she was also extremely grateful to Ms. Siri Russell, Ms. Kilroy, Ms. Liz Russell, the Albemarle County employees, and the community partners who supported this endeavor. She thanked the speakers that evening for their comments.

Ms. McKeel said the "At Ready" Confederate statue symbolizing the effort to maintain a plantation society, slavery, and white supremacy, and the tools of a war fought against the United States, should not be co-located with court facilities. She said she absolutely supported removal of the Confederate statue, cannons, and cannonballs.

Ms. McKeel said once these artifacts are gone, however, it is important for everyone to continue their own personal journeys and the critical work to remedy the systemic and cultural racism in the community, moving them closer to the more perfect union, and the pledge they often make ending in "liberty and justice for all."

Ms. McKeel said in their role as Supervisors, they deal with land use and determining if a property can support the use being considered. She said they determine the location can support the use and what the parking and traffic challenges are. She said therefore, she thinks it is time to view Court Square through the perspective of land use.

Ms. McKeel said Court Square consists of 1.3 acres, and that much of the land is consumed by court buildings and support offices, with an abutting property, Court Square Park, which is owned by the City. She said Court Square is actually smaller than many of the lots in Albemarle County.

Ms. McKeel asked how she would react if a developer came to her with a proposal to develop 1.3 acres to co-locate a historic court and office complex, with a focus on tourism; a community park a public gathering space which now with COVID is space that has actually become an extension of the courthouse; a location for First Amendment activities and political speech; and a location for statues and memorials telling the complex history of Albemarle County and the City of Charlottesville, and that the developer would say that the primary use of this land was going to be a court complex where people must go to resolve civil matters and seek criminal justice.

Ms. McKeel said her first reaction to this land use proposal would be to deny it, citing too many competing uses for one small parcel of land. She said additionally, she would have to ask if these four uses really compatible with a functioning and increasingly busy court complex.

Ms. McKeel said she must admit that timing is everything. She said that day, the City and County announced the architectural firm hired to design and facilitate construction of the \$45 million shared court complex addition and renovation project, beginning in Spring of 2022 with completion by 2025. She said the press release on this went out that day.

Ms. McKeel said the second phase includes renovation of a small addition to the Circuit Court at the current historic courthouse.

Ms. McKeel encouraged the community to consider the new court complex design through the lens of a shared and complex local history, and the need to have a functioning and safe, respectful court complex and grounds for the community.

Ms. Mallek said this has been a fascinating time. She said so many eloquent words have described the feelings and breadth of opinion of County residents about this issue. She said she, too, grew up in the area and has learned so much more in the last 10 years than she knew in the previous 60 years about their history. She said she knew that the justice system will be better served for everyone if the statue is removed. She said she supports its removal according to the state process.

Ms. Mallek said she wanted to reiterate some touching comments that she wrote down as she

was listening to so many people speaking. She said the message sent by the statue is contrary to the view of equality before the law. She said it is a pernicious political statement that has no place in the courts of justice where they are truly seeking equality before the law. She said a lovely young woman from Texas noted that this was not a fair representation of Southern culture, and that one cannot claim Southern culture when it is not theirs to begin with. She said this was a poignant statement.

Ms. Mallek said for Black people who speak justice in Albemarle, the statue says, "You will not be getting it here." She said the impartiality of judges and juries, and the perception of fairness, are so important in the court. She said after 111 years of people considering the statue to be normal, this narrative must be changed as fast as possible to remove the memory of pain and despair that so many have suffered and the notion that justice should only be for some in the community.

Ms. Mallek said she wants all citizens to know that they are destined for equal justice, which is challenging enough on its face without any symbols of oppression or of unfairness.

Ms. Mallek said she looked forward to the decision for removal, and for the invitations to accept the statue in a more appropriate place. She said she would end with what some of her constituents in the White Hall District have told her. She said they consider the statue to be a grave marker for their family members who fought on both sides in the Civil War and are buried in unmarked graves. She said she hopes the statue will end up somewhere where people can recognize it as a grave marker, which would be more suitable.

Ms. Price said she is a child of the South, having been born in Louisiana, grown up in Georgia, and having lived almost half her life in Virginia. She said the only places she has lived that were not in the South were while she was on active duty in the Navy.

Ms. Price said she first wanted to thank the residents of Albemarle County for their civility and decorum. She said she believes they have set an example for the nation to follow in how to address difficult issues peacefully, respectfully, and properly.

Ms. Price said secondly, she wanted to thank County staff, who have worked diligently to ensure that residents have an opportunity to fully participate in a thoughtful process. She thanked all the participants who were engaged in community outreach, the communications to the Board, and especially those who spoke that evening, who articulated with passion their comments that were both profound and moving. She said she would not attempt to repeat them, as they had done a better job than she could.

Ms. Price said on July 1, the Board took the first step to address this issue. She said their community outreach was the second step and that the evening's hearing was the third step. She said after that evening, she urges the Board to consider the establishment of a joint commission with the City to review the totality of the history of the area and the appropriate ways to represent the history.

Ms. Price said they were not there that night to address, nor were they able to resolve, the stain on the soul of America from slavery, racism, segregation, discrimination, and inequality. She said they can take a step towards bending the arc of the universe a little closer towards justice.

Ms. Price said the process that was provided the Board permitted them to request a referendum, and that several of her constituents reached out to her encouraging the Board to do that. She said she did not support that. She said she believes that the Board has the responsibility to take action on the issue that day, and that having a referendum would do little more than to stoke up additional division within the community.

Ms. Price said some have said that they are sorry that those on the Board feel bullied to have to take action on this. She said she is a student of history and has spent years studying and considering this issue. She said she is currently listening to *A Team of Rivals* about the cabinet during the Lincoln administration and the history that led up to the Civil War. She said she does not feel bullied in the least in taking action and being responsible for the action she takes.

Ms. Price said the Board has four options before them. She said one is that they could order the covering of the statue, the cannonballs, and the cannons, which she thinks, candidly, would be foolishness and would not, in any respect, resolve the issue. She said another option is to contextualize the statue, cannons, and cannonballs. She acknowledged there was a time where she once considered that but that under the reality of the circumstances, however, she would say this is inadequate. She said to coin a phrase from real estate "Location, location, location", they are talking about courthouse property.

Ms. Price said they could relocate the items, which she presumes means would be on other County property. She said to the best of her knowledge, the only actual battle around the area was the skirmish at Rio Hill, and that she did not believe there was any County property set up for that.

Ms. Price said she would vote for removal. She said she believes there are appropriate places where these memorabilia can be placed such as the Battlefield at Chancellorsville, Appomattox, or a cemetery. She said she does not believe their placement at a courthouse is appropriate.

Ms. Price said many say the Board should retain these monuments out of respect to those who fought and served for their beliefs. She said she could trace her family lineage back to a great-great-great-grandfather who fought for the Union in the 122nd Illinois Infantry Regiment, and a great-great-grandfather who fought for the Confederacy with Waller's 13th Texas Cavalry Regiment. She said her

grandfather fought in World War I, and her father fought in World War II. She said she has an uncle who fought in Korea, a brother-in-law who fought in Vietnam, and family members who have served through the endless wars. She said her son just returned from his third combat mission, and that she herself is a veteran of the foreign wars.

Ms. Price said she has been an attorney for over 40 years, and 25 years of this was spent on active duty in the Judge Advocate General's Corps of the Navy. She said she retired as a Captain. She said she believes she has the right to speak, as any American does, about whether or not removal of the statue would be disrespectful, and that she doesn't believe it would be.

Ms. Price said to her, the issue comes down to a single issue, which is that this is the grounds of a courthouse; the hallowed halls of justice. She said every citizen should demand and expect that they will receive equal justice and protection under the law. She said she believes that only symbols of law, justice, and equality are appropriate at a courthouse. She said there are other places, such as parks, where other things can be discussed.

Ms. Price said concerning the question about this removing history, she submitted that they were really facing the question of what legacy they want to leave, and that she believes it is appropriate to remove the statues.

Ms. LaPisto-Kirtley said she agreed with her fellow Supervisors. She said she was raised in the military and honors it. She said it was also integrated, and where she grew up, the schools were integrated. She said later on, when she found out that there were segregated schools, it was actually very shocking for her. She said she wondered why anything would be segregated because everyone is alike.

Ms. LaPisto-Kirtley said she believes the symbols before them "At Ready," the cannonballs, and cannons should be relocated to a more appropriate venue such as Wilderness, Chancellorsville, or Gordonsville, where there is a military hospital for the Confederacy. She said this is a better location, and that she absolutely does not believe that these statues should be in front of a courthouse. She said these were made to intimidate. She said as Americans, they do not and cannot be intimidated and yet, someone put these up to intimidate some of the citizens. She said this cannot stand, which is why she supports moving the statues to a more appropriate location.

Ms. LaPisto-Kirtley said the Civil War killed more soldiers than World Wars I and II combined. She said they have to remember why the war was fought, and that it was because the South wanted their economic engine, which was slavery. She said they cannot have people feeling intimidated when they go in a courthouse. She said it has to be justice for all, or it is justice for none.

Ms. Palmer said she agreed with the other Supervisors, so she wouldn't repeat their comments. She said one thing that she has heard from several of her African American constituents is to get on with the business of government, help improve schools, look at society and efforts to improve their lives. She said this is one of the reasons why she very much supported moving quickly with this subject. She said she certainly supports removing the statues. She said they are quite frankly sucking up too much of the Board's energy to do the things they are supposed to be doing as Supervisors and as local government.

Ms. Palmer said Ms. Mallek had already said this, but for those who have told her that this represents a grave marker, grave markers are not in front of courthouses. She said they do not need to be there.

Ms. Palmer said with regard to history, she will say that as someone who grew up in many places, she cannot say where she grew up because she was in her thirteenth house on her sixteenth birthday and cannot trace her family back past her own grandparents, so she cannot say she has any history in the South, as she does not know. She said she has learned a lot over the past several years, however, and with where she was four years ago when the City first started talking about contextualizing the statues, she thinks they have moved on past that.

Ms. Palmer said she hopes that they can find a place that is suited for the statue. She said she had no idea if anyone will want it or not. She said she appreciates all the people who have written her and called with their passionate messages, as well as the thoughtful discussion.

Mr. Gallaway said in emails that the Board has received, some people tried to pass off this decision as if the Board was being politically correct. He said as a white male politician, he supposed this was a fair assessment, but he feels like it is other whites that are giving him a pass by saying he was doing this just because he was being politically correct. He said the only way he knows is to try to speak and be honest about the importance of this decision and how he feels about it is to talk about how he arrived at the decision and how he thinks of the vote he will be taking that day. He said he hopes that this speaks to the fact that this is not a politically correct decision.

Mr. Gallaway said he has been involved in local government for several years. He said he knows that over the last 4 to 5 years, this Board and previous members of the Board have had lobbied to the General Assembly to have control over their property, to be able to get to where they are today to be able to make the decision for themselves.

Mr. Gallaway said it was at a point where, even in the legislative packet, it seemed futile, even to him, to include it there because they were worried that it was just wasting the paper space for other matters that were more pressing. He said to the credit of past Boards, they have kept the item there and

persisted with it.

Mr. Gallaway said when he went down in 2019 to the General Assembly, he was almost not allowed to speak in the committee meeting that squashed it from going anywhere to ask for the local control for the Board to be able to make the decision. He said he remembered in Delegate Toscano's office after that, all the local people that went down for a meeting with him asked "What now? What next?" He said the answer Delegate Toscano gave was to vote.

Mr. Gallaway said later in 2019, they voted, and they have had some changes. He said he thinks people had a lot of changes in mind that they wanted to take place, and those changes are coming forward. He said as of July 1, the Board has the ability to do this. He said he was happy about that, and is something he sees as not politically correct, but as democracy in action and the way it is supposed to work. He said if someone wants a change, they go to the ballot box to vote and put the people in who are going to make the changes. He said the majority speaks in that situation.

Mr. Gallaway said in terms of changing history, some people have been talking about rewriting or changing history. He asked if this is not what they do every day. He said they are writing the history now for the future and how they will look back on this. He said he was sure that in 1909, the Albemarle Board of Supervisors had immense pride that day and were very purposeful with the actions they wanted to take. He said what they erected on County property had its stand in history and now it's time to change that history and leave the statue and its accessories to the history books.

Mr. Gallaway said it was with pride that he was taking the action to support the removal of the statue and accessories. He said he suspected he had no less pride than what the Board felt in 1909 when they put this up. He said his pride is obviously for different reasons.

Mr. Gallaway said he was very appreciative of Mr. Dukes and his recommendation about being careful where the statue goes. He said to be perfectly frank, he had not considered that, so he appreciated those remarks. He said he does not feel responsible for where this statue ends up. He said he feels responsible for the logistics of helping make it happen, and he will have an open mind about where it goes.

Mr. Gallaway said he does not feel the responsibility of finding the place and for those who have the interest in doing so, the Board asks them to come forward so they can help them get it there. He said they do have ultimate control and say over where it goes because it cannot continue to have negative impacts, as Mr. Dukes spoke to. He said he thinks the fact that it is at a courthouse has amplified or multiplied the impact, but that any County property would have the same impact if this were erected anywhere else on County property.

Mr. Gallaway said to be clear, and he thinks all Supervisors would agree, they know that taking this action that night was not some end point for them. He said others have alluded to it, including Ms. Palmer and Ms. McKeel. He said there is a lot of work to do, which is in the Board's policy work, school system, and affordable housing. He said there are a lot of areas where there is work to do, and they know there is a long way to go. He said he has a lot to do and a long way to go himself, and he looks forward to doing that work.

Ms. Price **moved** that the Board adopt the draft resolution to remove certain monuments and memorials from the County-owned portion of Court Square Park. Ms. McKeel **seconded** the motion.

Mr. Gallaway said he and the Board appreciated all the comments from the public that evening, as well as all the feedback received via emails and phone conversations.

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

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

NAYS: None

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Agenda Item No. 3. From the Board: Matters Not Listed on the Agenda.

Ms. Price thanked the residents for their principled behavior and conduct throughout the process.

Ms. LaPisto-Kirtley thanked the community, as they have been very good with listening to both sides of the issue and in being respectful. She said she has never been so proud of such a board as theirs, as well as staff, for taking a leadership role in this.

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Agenda Item No. 4. From the County Executive: Report on Matters Not Listed on the Agenda.

Mr. Richardson thanked leadership at the staff level, notably Ms. Siri Russell and Ms. Emily Kilroy. He said they were not alone and had tremendous staff working with them to move this Community Remembrance work with the listening tours and everything they have been working on. He said there were then special challenges that came with the pandemic and moving mostly to a virtual format over the last five months.

Mr. Gallaway said he knows the whole Board agrees in recognizing their efforts.

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Agenda Item No. 5. Adjourn to August 19, 2020, 1:00 p.m., electronic meeting pursuant to Ordinance No. 20-A(8).

At 7:59 p.m., Mr. Gallaway adjourned the meeting to August 19, 2020, 1:00 p.m., an electronic meeting pursuant to Ordinance No. 20-A(8), “An Ordinance to Ensure the Continuity of Government During the COVID-19 Disaster.”

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Chair

Approved by Board
Date 2/02/2022
Initials CKB