

A regular meeting of the Board of Supervisors of Albemarle County, Virginia, was held on July 7, 2021 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.

BOARD MEMBERS PRESENT: Mr. Ned Gallaway, Chair; Ms. Donna Price, Vice-Chair; Ms. Beatrice (Bea) LaPisto-Kirtley, Ms. Ann Mallek, Ms. Diantha McKeel, and Ms. Liz Palmer.

ABSENT: None.

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

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

Mr. Gallaway stated that 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." He said that the opportunities for the public to access and participate in the electronic meeting were posted on the Albemarle County website, on the Board of Supervisors' homepage, and on the Albemarle County calendar. He stated that participation included the opportunity to comment on those matters for which comments from the public would be received.

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 Ms. Price wanted to pull Item 8.6 CPA2020-01 from the consent agenda and that Ms. McKeel wanted to pull Item 8.5 from the consent agenda for brief discussion.

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

Mr. Gallaway said the two items pulled would be discussed following the Consent Agenda.

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

Ms. Palmer said she looked forward to hearing about the Fourth of July parades from the other Supervisors.

Ms. Price said there was a fabulous July 4th in Scottsville and that it was wonderful to see everyone out again. She said there were about 55-60 float participants in the parade, and the streets were packed. She said it was the beginning of a beautiful day, and they could not have asked for better weather. She said it was cool, clear, and fabulous day to celebrate July 4th in Scottsville.

Ms. Price said she had a call to action. She said she recently noticed when driving downtown that the passengers waiting for a Greyhound bus were standing around, and the station continues to be closed. She said apparently, they have reopened, and it may now be a "whistle stop" rather than a full station. She said in her opinion, there needs to be a regional transportation center for all vehicular traffic. She said she would like to see a discussion about some sort of a center that would allow CAT, JAUNT, Greyhound, and ride sharing to have a central location from which the community would benefit.

Ms. Price said she wanted to mention the COVID-19 pandemic. She said Albemarle County is fortunate to have the highest vaccination rate and one of the lowest infection rates in the Commonwealth and in the nation. She said the Delta and Delta Plus variants are the predominant strains in the country, and 50% of the states around the nation have seen a dramatic increase in their infections over the last few weeks as the pandemic continues to morph and evolve. She said it is imperative that everyone do their part.

Ms. Price said she saw a sign in a yard recently when she was driving that said, "Love your neighbor. Wear a mask and get the vax." She said she thinks this is a great message. She said they are not out of the woods yet, and she would implore everyone to do their part to help keep everyone safe.

Ms. Mallek said it was a wonderful three days over Independence Weekend and likely the second-highest turnout in Crozet, with around 4,000 people who came to see the parade and the fireworks that followed. She said this was fun, and people were joyous to see each other, even from a distance. She said there were lots of people, even outdoors, wearing masks, and she thought this was great that they put themselves and others at more comfort. She said Free Union's parade was on

Sunday, and Earlysville's small parade was on Monday morning, which had about 400 people show up. She said this was an old-fashioned parade which included children on bikes and trikes, which is exactly what they were going for.

Ms. Mallek said she loved Ms. Price's idea about the regional transit center because back in the early 2000s, there was going to be one where the John Paul Jones Arena parking garage is. She said it was in long-range plans for quite a while, but it was changed to a different use at the choice of UVA. She said she hopes they will figure out another way to accomplish this.

Agenda Item No. 6. Proclamations and Recognitions.

Item No. 6.a. Proclamation Honoring John Henry James Day.

Ms. McKeel **moved** to adopt the Proclamation honoring John Henry James Day. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

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

NAYS: None.

Proclamation Honoring John Henry James Day

WHEREAS, Albemarle County Board of Supervisors, as part of their Community Remembrance Project, have committed to sharing an inclusive history of our County—including the stories that have been traditionally left out of the dominant narrative; and

WHEREAS, following Reconstruction, the crime of lynching succeeded slavery in the United States as an expression of racism and an upholder of white supremacy until the middle of the 20th century; and

WHEREAS, The lynching of Mr. John Henry James on July 12, 1898 was determined to have taken place in the County of Albemarle; his body shot dozens of times and his corpse hanging for hours; and

WHEREAS, 99 percent of all perpetrators, including those who murdered Mr. James, escaped punishment by State or local officials; and

WHEREAS, the Board of Supervisors recognizes that a history of racial injustice must be acknowledged, recognized, and most especially, remembered before a community may heal, and that July 12, 2021 marks the 123rd anniversary of the lynching of Mr. John Henry James.

NOW, THEREFORE, BE IT PROCLAIMED, that we, the Albemarle County Board of Supervisors do hereby recognize this tragic anniversary and declare July 12, 2021, as John Henry James Day in remembrance of our shared community history and as a demonstration of our commitment that this tragedy will be neither forgotten nor repeated.

Ms. Irtefa Binte-Farid, Coordinator for Equity and Accountability, said that on the Equal Justice Initiative's 2021 calendar, the entry for July 12 reads as follows: "1819: A mob of at least 150 unmasked white men lynches a Black man named John Henry James in Albemarle County, Virginia, near Charlottesville." She said she wanted to read this aloud because this act of racial terror that occurred in the community has now been recognized and acknowledged on a national level.

Ms. Binte-Farid said that on behalf of the Office of Equity and Inclusion and as a long-term resident of Albemarle County, she wanted to thank the Board for their continued commitment to telling a more inclusive history of this place they call home, even when it includes stories that are uncomfortable and upsetting and that highlight the worst parts of who they are as a community.

Ms. Binte-Farid said she wanted to thank the Board for their courage in publicly remembering these dark chapters of the past and the continuing legacies felt by so many neighbors. She said only by acknowledging and remembering such histories can they learn from them and work together to create a better, more equitable future for all members of the community.

Ms. Price said events like this are among the most disturbing that the nation must face and accept has occurred. She said there can only be reconciliation if truth comes out and if there is some degree of accountability.

Ms. Price said as she was reading about the lynching, it was about 150 individuals – all unmasked – who participated in this, and the coroner's jury determined that he had met his death at the hands of persons unknown. She said this is the real tragedy, as it is not just the violence of the mob but the acquiescence of those who allowed this horrendous act to take place, then cover it up. She said the Board needs to dedicate themselves to ensuring that they do not allow things like this to happen again. She said this can only happen if, as mentioned, they accept and acknowledge what has taken place, then make their pledge to not allow it to occur.

Ms. Mallek said in addition to all the benefits that Ms. Binte-Farid described and the essential nature of this understanding, current residents and future students in Albemarle County will not be in the trap that she herself was in for 50 years of not even knowing that this happened, as it was not part of the education system in the 1963-67 interval at Albemarle High School. She said perhaps they were thought to be too frail to take this on, though she did not know anything about the choice. She said she is glad they are now learning more and having to face these truths head-on. She thanked Ms. Binte-Farid for her words, adding they were magnificent.

Ms. McKeel said she appreciated and agreed with everything that was said. She said she would take the opportunity to remind people that in Montgomery, Alabama, there is a national memorial for peace and justice that was begun by Mr. Brian Stevenson. She said many in the community travel to that memorial as part of their Community Remembrance Project. She said they took soil from the lynching site. She reminded everyone that this was probably one of the most powerful memorials one could ever visit. She said it is a memorial acknowledging victims of racial terrorism and lynching, 4,400 African Americans (men, women, and children) who were lynched from 1877 to 1950 (the year she was born, which was shocking to her).

Ms. McKeel said she wanted to make sure people are aware that this memorial exists, and it is worthy of a trip to Montgomery, Alabama to visit that museum.

Ms. LaPisto-Kirtley said as a long-time educator, people cannot hide from the truth and reality. She said she thinks the courageous ones amongst them faced what has happened so that people can make sure this doesn't happen again, nor should feelings of hate like this happen again just because someone does not look exactly like them. She said this is all part of education, growing up, and not being a coward. She said one should face up to what has happened full-force, acknowledge it, and move on.

Ms. Palmer said one thing that is interesting in understanding all of this is that people who are second, third, or fourth-generation Americans did not grow up exposed to the Lost Cause. She said she knows there have been many documentaries and much to read in the past several years on these subjects, but there is a new documentary she thought was particularly good, on PBS' Point of View called "Neutral Ground." She said this documentary is on the subject of the statues and Lost Cause. She said she recommended this for anyone who thinks they have heard everything or want to learn more, as this movie had a different nuance to the Lost Cause that she thought was interesting.

Mr. Gallaway thanked the Supervisors and Ms. Binte-Farid for their remarks.

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.

Dr. Karen Rheuban (Jack Jouett District) thanked the Board for the opportunity to speak on the item on the day's agenda, "Special Exception for Disturbance of Critical Slopes." She said she and her husband, Dr. William Rheuban, have lived on Broomley Road for 40 years. She said they strongly and unequivocally oppose the request of the Christian Aid Mission seeking a special exception to allow construction of an egress onto the downhill lane of Broomley Road.

Dr. Rheuban said Broomley Road is both very steep and somewhat narrow, with no berm. She said when one turns right from Route 250 West onto Broomley Road, there is no opportunity for the driver to see what awaits them down the hill until one's vehicle is already on the incline. She said that during the winter months, Broomley Road is nearly always plowed, salted, or sanded later than Route 250, which often leads to very dangerous conditions upon turning. She said even when plowed, the road almost always freezes overnight when the temperature drops.

Dr. Rheuban said they cannot imagine how drivers can quickly and safely brake on an icy, downhill steep road with no berm to avoid cars that may be egressing from the Christian Aid property across Broomley Road without risking a serious accident. She said unfortunately, if one finds oneself sliding down the hill, as often occurs, to avoid a vehicle turning onto Broomley Road, vehicles may end up crashing into the narrow railroad bridge at the bottom of the hill or, worse, over the sharp drop-off leading to the railroad tracks below.

Dr. Rheuban said that in addition to accidents at the top of Broomley Road, she and her husband have personally aided a car that skidded downhill onto the Broomley Road Bridge on black ice. She said this vehicle ultimately ended up facing sideways across the bridge.

Dr. Rheuban said the Christian Aid Mission property is currently for sale, and though zoned Commercial, she and her husband have concerns for any proposed development that includes egress onto the hill on Broomley Road, as they believe it creates a serious public safety risk. She urged the Board to vote "no" on this proposed exception request as did a prior Board of Supervisors on a prior request from the same applicant.

Mr. Robin Tanner was called upon to speak, but he noted he did not wish to speak at that time.

Ms. Carrie Klosko (Scottsville District) said she was speaking for the Charlottesville Low Income Housing Coalition (CLIHC). She said she wanted to put in a quick word in support of the Housing Plan,

which she understood was being voted on as part of the Consent Agenda that day.

Ms. Klosko said CLIHC has had its reservations about the plan that they communicated to various Supervisors, but overall, they think this is a huge step in the right direction, and they hoped it would be approved. She said a community expresses its values through the way it uses its resources, and there can be no greater priority than making the community a place where people of all walks of life (not just upper-middle class people) can live. She said this is what CLIHC thinks the Housing Plan does, and they hoped the Board would do the right thing by approving it.

Mr. Gallaway closed Matters From the Public.

Agenda Item No. 8. Consent Agenda.

Mr. Gallaway reminded the Board that two items had been removed.

Ms. Mallek **moved** to approve the Consent Agenda as amended. Ms. McKeel **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

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

Item No. 8.1. Approval of Minutes: April 1 and November 4, 2020.

Ms. Palmer had read the minutes of April 1, 2020 and found them to be in order.

Mr. Gallaway had read the minutes of November 4, 2020 and found them to be in order.

Item No. 8.2. FY2021 Appropriations.

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

The total change to the Fiscal Year 2021 (FY 21) budget due to the appropriations itemized in Attachment A is \$442,953.78. 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 resolution (Attachment B) to approve the appropriations for local government and school projects and programs described in Attachment A.

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

**RESOLUTION TO APPROVE
ADDITIONAL FY 2021 APPROPRIATIONS**

BE IT RESOLVED by the Albemarle County Board of Supervisors:

- 1) That Appropriations #2021082; #2021083; #2021084 and #2021085 are approved;
- 2) That the appropriations referenced in Paragraph #1, above, are subject to the provisions set forth in the Annual Resolution of Appropriations of the County of Albemarle for the Fiscal Year ending June 30, 2021.

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Appropriation #2021082

Sources:	State Revenue	\$24,204.78
Uses:	School Special Revenue Fund	24,204.78
Net Increase to Appropriated Budget:		\$24,204.78

Description:

This request is to appropriate \$24,204.78 in State revenue to the Career and Technical Education (CTE) Testing and CTE Equipment grants. Albemarle County Public Schools received an enrollment based CTE Testing grant in the amount of \$13,914.50 and an enrollment based CTE Equipment grant in the

amount of \$10,290.28 from the Virginia Department of Education. The CTE Testing funds will be used for industry certification exams for students enrolled in high school CTE courses. The CTE Equipment funds will be used to purchase Shapeoko CNC routers, DeWalt fixed based routers, and five-gallon shop vacuums for Monticello and Western Albemarle High Schools; and micro:bit club programmable pocket-sized computers and a virtual business (sports and entertainment) lab license for Albemarle High School.

Appropriation #2021083

Sources:	State Revenue	\$20,610.00
Uses:	Clerk of the Circuit Court	20,610.00
Net Increase to Appropriated Budget:		\$20,610.00

Description:

This request is to appropriate \$20,610.00 for funding from the Library of Virginia to the Clerk of the Circuit Court to reimburse expenses for restoration work on record books.

Appropriation #2021084

Sources:	State Revenue	\$302,529.00
	Local Revenue—Central Virginia Regional Jail	75,000.00
Uses:	Criminal Justice Grant Fund	377,529.00
Net Increase to Appropriated Budget:		\$377,529.00

Description:

This request is to appropriate \$377,529.00 in funding to Offender Aid and Restoration (OAR) to continue to provide pretrial services in the rural counties serving the Central Virginia Regional Jail. This amount includes \$302,529.00 in grant funding from the Department of Criminal Justice Services with the County acting as fiscal agent and a local match of \$75,000.00 from the Central Virginia Regional Jail located in the Town of Orange.

Appropriation #2021085

Sources:	Federal Revenue	\$20,610.00
Uses:	Sheriff	20,610.00
Net Increase to Appropriated Budget:		\$20,610.00

Description:

This request is to appropriate \$20,610.00 in Federal revenue for a part-time auxiliary deputy officer to work under the direction of the Albemarle County Sheriff's Office to assist with the administration and monitoring of Offender Aid and Restoration's (OAR) Drug Court cases. These expenses are for part-time wages and related operating costs.

APP#	Account String	Description	Amount
2021082	3-3105-63105-324000-240900-6530	SA2021082 Revenue-State	\$24,204.78
2021082	4-3105-63105-461313-601300-6530	SA2021082 Ed & Rec Supplies	\$13,914.50
2021082	4-3105-63105-461313-800100-6530	SA2021082 Machinery/Equip-ADDL	\$10,290.28
2021083	3-1000-24000-324000-568911-9999	SA2021083: Library of VA Funds to reimburse Clerk of Circuit Court for Kofile Recordbooks expense	\$20,610.00
2021083	4-1000-21060-421060-600103-1002	SA2021083: Library of VA Funds to reimburse Clerk of Circuit Court for Kofile Recordbooks expense	\$20,610.00
2021084	3-1520-19000-319000-190216-1003	SA2021084: OAR DCJS FY21 Grant-CVRJ Contribution	\$75,000.00
2021084	3-1520-24000-324000-240440-1003	SA2021084: OAR DCJS FY21 Grant	\$302,529.00
2021084	4-1520-29406-421090-566120-1003	SA2021084: OAR DCJS FY21 Grant	\$377,529.00
2021085	4-1000-21078-421070-130000-1002	SA2021085: OAR Drug Court Program	\$18,320.00
2021085	4-1000-21078-421070-210000-1002	SA2021085: OAR Drug Court Program	\$1,400.00
2021085	4-1000-21078-421070-600800-1002	SA2021085: OAR Drug Court Program	\$890.00
2021085	3-1000-33000-333000-330240-1002	SA2021085: OAR Drug Court Program	\$20,610.00

Item No. 8.3. Authorize a Public Hearing for An Ordinance to Amend County Code Chapter 15, Taxation.

The Executive Summary forwarded to the Board states that as part of the reorganization of County Code Chapter 9, Motor Vehicle, which is going to the Board for its consideration on July 7, 2021, Article 4 regarding vehicle licenses is being proposed for relocation to County Code Chapter 15, Taxes, because it involves the County's levying and collection of vehicle license taxes.

The attached proposed ordinance adds a new Article 14, which includes the vehicle license provisions that are being recommended for removal from County Code Chapter 9, Motor Vehicles.

There is no budget impact related to the adoption of the attached proposed ordinance.

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

By the above-recorded vote, the Board voted to schedule a public hearing to consider the proposed ordinance (Attachment A) at a future Board meeting.

Item No. 8.4. Authorize a Public Hearing for An Ordinance to Amend County Code Chapter 9, Motor Vehicles and Traffic.

The Executive Summary forwarded to the Board states that the Board has directed the County Attorney's Office to conduct a comprehensive review and recodification of the County Code. Chapter 9 of the County Code regulates the operation, parking, and licensing/permitting of motor vehicles, bicycles, electric power-assisted bicycles, motorized skateboards or scooters, and mopeds.

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

The attached proposed ordinance includes the following substantive change:

- Removes a requirement that a vehicle must not only impede the use of highways, but must also have created a traffic hazard - creating an additional, unclear requirement - before police may order the vehicle removed.
- Removes the vehicle license provisions and relocates them to County Code Chapter 15, Taxation. An ordinance to amend County Code Chapter 15 to add those provisions is also being presented to the Board for its consideration on July 7, 2021.

In addition, staff has included stylistic revisions and eliminated archaic or redundant language to make the chapter easier to read.

Finally, Virginia Code § 46.2-113 enables localities to increase the fine for certain violations to \$250.00. Staff evaluated whether to increase the County's current \$100.00 fine, and makes no recommendation whether the fine should be increased, so the attached proposed ordinance does not include an increase to the \$100.00 fine (in County Code § 9-117).

There is no expected budget impact.

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

By the above-recorded vote, the Board voted to schedule a public hearing to consider adoption of the attached proposed ordinance (Attachment A) at a future Board meeting.

Item No. 8.7. Planning Commission Annual Report (2020), **was received for information.**

Item No. 8.8. Albemarle County 2021 First Quarter Building Report, **was received for information.**

Item No. 8.9. Albemarle County 2021 First Quarter Certificate of Occupancy Report, **was received for information.**

Item No. 8.10. Board-to-Board, June 2021, a monthly report from the Albemarle County School Board to the Albemarle County Board of Supervisors, **was received for information.**

Item No. 8.6. CPA2020-00001 Housing Albemarle.

The Executive Summary forwarded to the Board states that during its meeting on May 4, 2021, the Planning Commission adopted a resolution recommending approval of CPA202000001 Housing

Albemarle. During a public hearing on CPA2020-00001 on June 16, 2021, the Board directed staff to revise the housing policy documents to articulate that implementation of Strategy 1a: Action Step 1, the proposed maximum rental and sales prices for affordable and workforce housing units, and Strategy 5a: Action Step 1, will be delayed until a package of developer incentives for affordable housing is approved.

Staff has revised both the Summary of the Housing chapter of the Comprehensive Plan (Attachment A), Chapter 9 (Housing) of the Comprehensive Plan (Attachment B), and the proposed Housing Albemarle Policy itself (Attachment C), as directed. Attachment D summarizes the changes made to each document.

Following approval of CPA202000001, staff will move into the implementation phase of the Housing Policy, with an immediate focus on a package of developer incentives for affordable housing. Staff anticipates returning to the Board with a proposed incentives package in September 2021.

Incorporation of Housing Albemarle into both the comprehensive plan and zoning ordinance update processes is anticipated in the staffing levels for those projects. As specific housing programs are scoped and brought forward for Board consideration, any budget impacts will be included in those program discussions. Future implementation of some of the individual policy objectives may require County investment. These budget requests will be addressed as policy objectives move forward.

Staff recommends that the Board adopt the attached Resolution (Attachment E) to approve CPA 202000001 and to adopt the following amendments to the Comprehensive Plan: (i) the revised summary of the Housing Chapter, (ii) Chapter 9, Housing, and (iii) Appendix 9, the "Housing Albemarle" policy.

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Ms. Price said it was a difficult decision for her to ask to pull this from the consent agenda because she supports the goals and hopes the County will be able to meet the objectives. She said as she has continued to communicate with developers, however, there are some concerns about whether the Board is realistically going to be able to meet those objectives, and this is based upon two primary factors.

Ms. Price said one factor is with regard to the for-sale affordable housing and whether the target metrics that have been set are going to be financially able to then be met. She said the other factor is that in the absence of having the incentives package, she is concerned about approving what she would consider to be an incomplete housing plan.

Ms. Price said she wanted to be very clear that while she does support the goals and she hopes they can reach the objectives, she was not comfortable at that point approving a plan that is, in her opinion, incomplete.

Ms. Palmer said her only comment would be that they are postponing the plan by some amount of time. She said perhaps staff could tell the Board one more time when the expectation for the developer incentives will go in. She said she did not have a problem approving the plan until those things come through if it was going to be a relatively short few months.

Mr. Gallaway asked Mr. Doug Walker if these were coming in September.

Mr. Walker said he would defer to Ms. Jodie Filardo.

Ms. Jodie Filardo, Community Development Director, said that in staff's last estimate, they created a very broad estimate that had them coming back within the year on those developer incentives. She said that since the last meeting, they have had one listening session with a gathering of developers to hear what the issues were from their perspective. She said that morning, CDD staff had a follow-on meeting to determine a couple of approaches they could take on the developer incentives.

Ms. Filardo said the intent is to have a subset of a meeting with a couple of key people to float these ideas past them, then to have a larger meeting once again with the same listening group from before to share those ideas and get developer feedback on whether or not those are worth pursuing. She said they expect to have those meetings wrapped up by the end of July.

Ms. Filardo noted that with this said, some of the suggestions from staff will actually require zoning ordinance amendments, which are never quick. She said while they are working very hard to not have this take a year to get back to the Board, it is going to take some time because there are many stakeholders they need to vet this through. She stressed that they are making haste on this because they want to see it move forward, but she did not yet have a good estimate until they could have the follow-on meeting with the larger developer group to see if they like what they have to say and would be supportive of helping staff work this through.

Ms. Filardo acknowledged this was not a definitive answer that Ms. Palmer was potentially hoping for, but this was the best update at the moment, and she hoped it helped.

Ms. McKeel said she appreciated Ms. Price's concerns. She said she thinks that staff and Ms. Stacey Pethia did what the Board requested at the last meeting by putting in the language. She said her understanding was that once the Board approves the document, recognizing that there is more work to do and with their concern about the developer incentives, she would ask staff if there were not items they

could begin to work on that would help to solve the affordable housing problem. She asked if there were things that could start to be worked on and addressed.

Ms. Pethia replied yes. She said out of the 12 objectives and 49 strategies, 42 or 43 of those strategies could move forward without the requested items in the developer package impacting anything except the three particular items that the Board has expressed concern with. She said if the policy were approved that day, staff could begin working on everything else in the document.

Ms. McKeel said they were then talking about three of the initiatives that would be on hold, and many of the others could move forward.

Mr. Gallaway asked Ms. Price if she had any follow-up.

Ms. Price said she wanted to hear from the other Supervisors. She said she expressed that her concern is approving a policy where the Board may not be able to actually achieve its objectives because of some of the parameters being set.

Ms. Mallek said a citizen recently noted to her that the implementation of the plan seemed to be the biggest void of knowledge and asked if it would be sensible to have a more diverse group of people from whom they could hear (whether these are builders, architects, or landowners from across the spectrum) in addition to the people who are going to be doing this for business reasons. She said they may gain some extra insight about ways to improve how they go about this.

Ms. Mallek said she was OK either way with having the incentives in the plan immediately versus in September or October. She said she knows the staff report said that by September, the incentives package would be expected to be back in, though she would understand if this were to slide. She asked if they were doing all the things broadly enough, they need to do to get the best information they can from neighbors.

Ms. Mallek said there is a meaningful statement in the Housing Policy about aging in place and having people stay in their homes as they get older, but taxation is what keeps many low- to moderate-income families from staying. She said the Board needs to be sure they have ways to fund what they plan to do that does not drive out a large section of the 80- and 90-year-olds who have been in the area trying to live out their lives.

Ms. LaPisto-Kirtley said regarding the zoning amendments, she understands that those take time but in working with the group staff already formed, if they come to an agreement that this zoning change or ordinance has to happen, this process will move forward. She said she thinks they can agree with the Housing Policy, knowing that the zoning portion will take some time.

Ms. LaPisto-Kirtley said she did have a problem supporting this, however, because she thinks there are other concerns. She said Ms. Pethia had mentioned three concerns, and she did not think the group that was already started should be enlarged because those are the people who will best implement the plan. She said they are the developers, and they will either build it or not build it. She said she is in favor of keeping the group as-is.

Ms. LaPisto-Kirtley asked if they could agree on what needs to be changed in zoning, but then approve the Affordable Housing Plan later, knowing that the zoning portion will come even later than that. She asked Ms. Filardo if this were possible.

Ms. Filardo said perhaps she did not communicate very clearly that what she was talking about and hoping for is that staff would ask the Board for their approval on the Housing Policy that day, and that any zoning ordinance modifications that are required with developer incentives that staff would recommend to the Board for adoption would then come forward at a later date. She said the Housing Policy would actually lead, and then the others would follow behind.

Ms. LaPisto-Kirtley said the last thing she still had a concern with was regarding the timelines, be it 15% or 20% (mainly for rentals) as well as the length of time (40 years). She said she did not want to hamstring future Boards as she believes in being more flexible in having it be affordable as long as they can while also being realistic. She said 40 years down the road is quite long, and it may or may not work. She said, thinking aloud, that perhaps 10-year increments with an extension would work as opposed to setting them up for 40 years. She asked if this was part of the developers group.

Ms. Pethia replied yes. She said those affordability periods were under construction for the developer package.

Ms. LaPisto-Kirtley asked if this plan were approved (adding she was not sure she was in favor of yet), what the three things were that they would be holding back on.

Ms. Pethia replied that these would be the affordability periods for both the rental and for-sale housing; the change in affordable pricing for both for-sale and rental housing; and the developer incentive package. She asked Ms. Filardo to provide additional clarification.

Ms. Filardo added that the list would also include the change in the affordability levels for home ownership.

Ms. Pethia said those three items are dependent upon approval of a developer incentive package and would not take effect until a developer incentive package is approved. She said they may change through that conversation, so all three items are open for a debate and discussion with the developers through this discussion of a developer package.

Ms. LaPisto-Kirtley said she is in support of an Affordable Housing Policy, but she wants to make sure it is the right one. She asked if it made sense to staff that the Board do this now or pass it in a few months when they have a better understanding of what is being discussed and negotiated.

Mr. Walker said if this question was to staff, staff is recommending that the Board consider approving the policy as it has been presented, with the caveat that was clarified from the last meeting to the present meeting with specific reference to the developer incentives and those items that Ms. Pethia had just mentioned. He said staff would obviously defer to the Board's interest, but they did believe they could move forward with what was in the policy that was not driven by the developer incentives at the same time that they work with the development community and the Board on those items that are now part of the discussion with regard to what the incentives would be to implement the policy more fully.

Mr. Walker said this was staff's recommendation, though they would defer to the Board's interests and wishes, but they did believe they could move forward with the policy, as written, with the specific exclusion or delayed implementation of the developer incentive package and only then move forward with that piece of it when the Board is comfortable with that package.

Mr. Gallaway said he gets a little worried when he hears, "Let's get it right," because they could work on this for five more years and not get it right. He said they do not know what is going to be right until they start getting after some of this. He said this document will have to lead them through that journey and then, things can be adjusted as there are many details that have to be worked out.

Mr. Gallaway said he did not think they would ever reach a point to vote on the policy when it's "right" because as soon as they finish the incentives piece, they can turn to other elements such as the trust fund. He said there are so many details about the trust fund that remain unanswered, and they do not know where the Board will fall on that in terms of what the total agreement will be, the governance of the trust fund, where the money will go, if it will be one or two funds, and other details. He said he looks at this in a similar fashion as to how he looks at the developer incentives.

Mr. Gallaway said the policy is the direction and vision, and it is about getting started and ironing things out. He said many elements will have to come back to the Board for signoff. He said the incentives package, based on what they had talked about last time, was coming back to the Board with a defined timeline without having to take a year.

Mr. Gallaway asked to assume they did have six defined incentives in the policy, including tax incentives, bonus density, and setback waivers. He said if they had six incentives defined in this policy and an application came forth, where they had brainstormed an incentive that was not in the policy, he would imagine that the Board would be able to consider that incentive, even though it was not defined in the policy. He asked Ms. Filardo if this would be true.

Ms. Filardo replied that it would depend on how the Board would like staff to set this up. She said if the Board would like for that incentive to be considered, which she believed was the appropriate way to approach it, staff could certainly bring it to the Board for consideration. She said this makes sense to her because it does not feel like it should be a staff consideration. She said staff can work with whatever the Board directs them to do.

Mr. Gallaway said his point was that if they know they will have an incentives package eventually defined, to limit and say they will not consider incentives that are not on the list would, to him, be shortsighted. He said he would argue in favor of having a policy that allows there to be incentives proposed for an application. He said if the Board's policy is so rigid that it would not allow for that, he would not be in favor.

Mr. Gallaway said it also allows them to get through this timeframe while they are identifying and defining some very specific ones. He said if the Board were to approve the policy that day, and someone wanted to bring them an application before the defined list of incentives are there, and they have an incentive idea, the Board can consider it and move on it. He said nothing held them back from taking action.

Mr. Gallaway said the pragmatist in him and the person who would like to get this policy approved so that they can get to working out all the details thinks that while he is certainly in support of and understands the developers' concerns, they can get this policy passed and work through it. He said staff expected a September turnaround, but the Board would not be patient in not having it come back in a timely manner. He said they can get this worked out and, in the meantime, if an application needs to be considered with some incentives that are not yet defined, the Board should be able to have the capacity to do that.

Mr. Gallaway said he would be in favor of taking action on this policy and getting the incentive piece (and other items) ironed out in the details. He said it was time to get the policy working for them and get down into the weeds on many items in the policy, but staff cannot do that until they get the policy passed.

Mr. Gallaway said he knew that Ms. Price had pulled the item, but this was his sentiment on the matter. He said he would come back to Ms. Price and then to other Supervisors for additional comments and remarks if needed.

Ms. Price said she appreciated the patience of the Board and additional commentary from County staff on this matter. She said while she did have concerns, she was satisfied that the better course of action was to approve the policy, understanding that there are still details they will have to continue to work on in order to be able to actually achieve the objectives that the goals set forth. She said she would be prepared to move that they adopt the Housing Policy.

Mr. Gallaway asked if there were other comments before going to the formal motion.

Ms. Palmer said she agreed with staff's comments to the Supervisors' questions and that she was ready to second Ms. Price's motion.

Ms. McKeel said hearing the concern about the incentives portion that had been discussed for two meetings, it would probably be a good idea to make sure that the Board receives updates on where staff is in the process not only for their benefit, but for the public's as well.

Ms. Mallek said she would disagree on one point. She said she thinks the reason that they need to go to the 30- or 40-year federal standard for the federal programs, rather than a shorter timeframe, is that it is a different business model altogether, and they need to have people who are going to be building, maintaining, and owning properties who are interested in doing this, rather than someone who is trying to build something for the market and pretend that it is affordable housing for a short period of time. She said she did appreciate the longer timeframes that were in the draft and that she was ready to vote when ready.

Ms. LaPisto-Kirtley said hearing everyone's comments, she was ready to move forward also.

Ms. Price **moved** that the Board adopt the attached Resolution (Attachment E) to approve CPA 202000001 and to adopt the following amendments to the Comprehensive Plan: (i) the revised summary of the Housing Chapter, (ii) Chapter 9, Housing, and (iii) Appendix 9, the "Housing Albemarle" policy. Ms. Palmer **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

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

NAYS: None.

Mr. Gallaway said this was a big step forward as the Housing Policy was a long time in the making, and it was ready to get to the next stage of work.

* * * * *

RESOLUTION TO APPROVE CPA 2020-00001 FOR HOUSING POLICY UPDATE

WHEREAS, the Albemarle County Comprehensive Plan (adopted June 10, 2015) includes both a chapter on housing (Chapter 9) and an Affordable Housing Policy (Appendix 9); and

WHEREAS, the 2019 Comprehensive Regional Housing Study and Needs Assessment identified a deficit of more than 10,000 owner- and renter-occupied housing units affordable to low- and moderate-income households in Albemarle County; and

WHEREAS, the County's current Affordable Housing Policy was adopted in 2004 and does not contain the tools needed to meet the current affordable housing needs of the County's low- and moderate-income residents; and

WHEREAS, the Board of Supervisors desires to update the housing provisions in the County's Comprehensive Plan, including its Affordable Housing Policy, to establish housing goals and priorities, as well as tools for meeting those goals; and

WHEREAS, the Comprehensive Plan may be amended by the Board of Supervisors, acting upon recommendation by the Planning Commission; and

WHEREAS, on July 23, 2019, the Albemarle County Planning Commission adopted a Resolution of Intent to consider amending the 2015 Comprehensive Plan to incorporate an updated Affordable Housing Policy; and

WHEREAS, County staff sought and received public comment on the proposed Affordable Housing Policy update through community meetings, focus groups, an online survey, and a survey conducted by the Thomas Jefferson Planning District Commission, which provided County-relevant responses; and

WHEREAS, based on the 2019 Comprehensive Regional Housing Study and Needs Assessment, and feedback received from stakeholders and members of the public, County staff developed an updated Affordable Housing Policy; and

WHEREAS, work sessions to review the proposed update were conducted with the Planning Commission on August 11, 2020, with the Board of Supervisors on October 7, 2020, and with both the Planning Commission and the Board of Supervisors on December 8, 2020; and

WHEREAS, on May 4, 2021, following a duly-noticed public hearing on CPA 2020-00001, including (i) amendments to the summary of the Housing chapter of the Comprehensive Plan, (ii) Chapter 9, Housing, of the Comprehensive Plan, and (iii) Appendix 9, the Housing Policy, of the Comprehensive Plan, the Planning Commission recommended approval of CPA 2020-00001; and

WHEREAS, staff further revised the above documents based on feedback received at the Planning Commission's public hearing; and

WHEREAS, on June 16, 2021, the Board of Supervisors held a duly noticed public hearing on CPA 2020- 00001, and provided additional direction.

NOW, THEREFORE, BE IT RESOLVED that, upon the foregoing considerations, and for the purposes stated in Virginia Code § 15.2-2223, the Albemarle County Board of Supervisors hereby approves CPA 2020-00001 and adopts the following amendments to the County's Comprehensive Plan: (i) the revised summary of the Housing chapter, (ii) Chapter 9, Housing, and (iii) the "Housing Albemarle" policy (Appendix 9), all dated July 7, 2021.

Item No. 8.5. Authorize a Public Hearing for Proposed Amendments to Road Naming and Property Numbering Ordinance and Manual.

The Executive Summary forwarded to the Board states that County Code Chapter 7, Article 2 provides standards and specifications for road naming, road signage, and property numbering. In 1992, the County adopted the Road Naming and Property Numbering Ordinance and Manual to improve delivery of emergency services and to assure consistent addressing and road naming standards and procedures. The most recent amendment on March 18, 2020, included updates for the agent, addressable structures, and signage (based on the Manual on Uniform Traffic Control Devices).

The proposed amendments include reorganization, clarifications, and updates to improve understanding and administration of road naming and property numbering, including proposed stylistic clarifications from the County Attorney's Office. Among other proposed revisions:

- The proposed language would fix a current definitional gap and codify longstanding practice to continue to apply the regulations to private roads with at least three addressable structures, regardless of whether they were approved by the County through the Subdivision Ordinance.
- A proposed reference in the Manual to Virginia Code § 33.2-213 would disqualify proposed road names that would be a) profane, obscene, or vulgar; b) sexually explicit or graphic; c) excretory related; d) descriptive of intimate body parts or genitals; e) descriptive of illegal activities or substances; f) condoning or encouraging violence; or g) socially, racially, or ethnically offensive or disparaging.
- A proposed amendment would increase the landowner consent required for administrative approval of a road name from a simple majority to at least a two-thirds majority. This increase in the necessary percentage for consent would trigger Board review of proposed road names that lacked a strong consensus.
- The draft Manual would continue to allow the assignment of half-numbers, but only when there is no available address to assign. A proposed addition to the Manual would emphasize that the use of half-numbers is not consistent with best practice and is strongly discouraged.

The current draft ordinance is shown in track changes with annotations as Attachment A, and the current draft Manual as Attachment B.

Staff recommends that the Board authorize the advertisement of a future public hearing to consider adoption of a proposed revised Road Naming and Property Numbering Ordinance (Attachment A) and Manual (Attachment B).

* * * * *

Ms. McKeel said several years ago, she worked with Mr. Trevor Henry and VDOT around a pilot that essentially put signage in neighborhoods on public (not private) roads on a "sign diet," meaning that they co-located signs on one pole to reduce the number of signs there were at corners all throughout the neighborhoods. She said when she looked at Item 8.5, it struck her that this pilot (which she believed to be successful) was not mentioned in this document at all.

Ms. McKeel said she spoke with Mr. Greg Kamptner and that he found a place at which he felt this should be added to both Amendment A and Amendment B. She expressed this was not a major matter for that day, but she wanted to let the Board know. She said she would like to have that co-location and sign diet piece recognized so that they do not lose track of it and so it is kept in the eye of the public, staff, and VDOT as they work through the process. She said this effort made the pilot neighborhood look much better, rather than having signs all over the corners.

Mr. Kamptner commented that it appeared the statement could appear in Section 7-204, and there may be another. He said this was the section that he and Ms. McKeel looked at the day prior. He added that in the manual on page 21 of 22, "Location of Post and Sign," this section as well should include a reminder that co-location should be pursued.

Ms. McKeel said it excludes stop signs, but where there is a street sign and a route number, that signage can be co-located rather than having multiple poles at every corner. She said she would like to have this included in the document before it comes back for public hearing.

Ms. McKeel **moved** that the Board authorize the clerk to schedule a future public hearing to

consider adoption of a proposed revised Road Naming and Property Numbering Ordinance (Attachment A) and Manual (Attachment B).

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

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

Agenda Item No. 9. **Action Item:** SE202100014 Homestay Special Exception Stony Point (Heeschen).

The Executive Summary forwarded to the Board states that the applicant requests a special exception pursuant to County Code § 18-5.1.48(i) for a homestay at 2022 Stony Point Road to modify County Code 18-5.1.48(j)(1)(v) to reduce the required 125-foot setbacks to 75 feet +/- from the front property line, 75 feet +/- from the eastern property line, and 69 feet +/- from the western property line for a homestay use in the existing primary dwelling.

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

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

Ms. Lea Brumfield, Senior Planner in Zoning, reminded the Board that homestays for parcels like the subject of this special exception application, which is on a 2.4-acre Rural Area parcel, are limited to two guestrooms by right, require a 125-foot setback from parcel boundaries, may use accessory structures only if they pre-exist homestay ordinances, and require the homeowner to be onsite during the rental. She added that as with all homestays, the property must be a primary residence of the owner, parking must be onsite, neighbor notification is required, and annual safety inspections are also required.

Ms. Brumfield noted that this applicant has not received a zoning violation for this homestay but rather, she approached staff prior to the notice going out and prior to any kind of violation in order to be proactive.

Ms. Brumfield said that of this particular application, the applicant has requested a 125-foot setback special exception from the front, eastern, and western parcel boundaries, from the required 125 feet to between 69 and 75 feet on the three different boundaries. She said per the homestay regulations, special exceptions may be granted, permitted there is no detriment to abutting lots and there is no harm to public health, safety, or welfare.

Ms. Brumfield said the proposed homestay is located on a wooded lot surrounded by other wooded residential lots and undeveloped lots. She said to the east, a large parcel contains four dwellings, some of which are long-term rentals. She said other parcels are smaller in size and are either single-family dwellings or undeveloped.

Ms. Brumfield said staff has received two letters of support with this homestay application from the parcel owners marked in blue on the map she presented on the screen. She said staff also received a letter expressing concern from the parcel shown on the map in red, which is the large parcel with the four dwellings.

Ms. Brumfield said zooming in to take a closer look, the proposed homestay will be located to the rear of the existing dwelling and a walk-out basement accessory apartment. She presented an exhibit on the screen, noting that homestay guests would park on the turnaround driveway to the west of the dwelling.

Ms. Brumfield said the zoomed-in photo on the screen highlighted the concerns that the neighbor on the abutting parcel expressed. She said the two concerns expressed were that the applicant's accessory structures were located illegally close to the property boundary and that the applicant's homestay guests would mistakenly drive down the wrong driveway. She said that on the exhibit shown, the homestay's driveway was marked as #1, and the neighbor's driveway was marked as #2.

Ms. Brumfield said staff confirmed that the accessory structures owned by Ms. Heeschen, the applicant, are not illegally close to the parcel boundaries and that they are actually significantly farther away from parcel boundaries than are strictly permitted in the ordinance, at over 35 feet away from parcel boundaries on all sides.

Ms. Brumfield said the applicant did confirm that Google Maps was incorrectly listing directions to her house, using the neighbor's driveway, but she has reported the issue to Google and has asserted that she will provide explicit directions to any future guests to avoid this issue as well.

Ms. Brumfield said additionally, when staff conducted the site visit, they noticed that there is a vegetative buffer between the applicant's home and the driveway of the parcel abutting it. She said there are very well-established evergreen and deciduous trees; however, the established vegetation has bare trunks at eye level, which affords the neighboring parcel views of the applicant's shed in the front of her

house where she keeps potted plants for a permitted home occupation.

Ms. Brumfield said in light of this, staff recommends planting low understory evergreens, which was shown in the location marked as "Additional Screening" on the map, in order to shield view of the homestay from the neighboring parcel. She said Ms. Heeschen, the applicant, has expressed support for this plan.

Ms. Brumfield said additionally, the applicant did meet with the neighbor who expressed the concern the week prior, and she informed staff that once the neighbor was given a more thorough understanding of the one-bedroom homestay, they were no longer concerned; however, staff did not receive notice of this from the neighbor prior to this meeting or prior to finalizing the materials.

Ms. Brumfield said staff does recommend approval of this special exception with conditions related to the parking, guestroom numbers, and maintenance of the existing screen, as well as the addition of understory plantings as shown on the buffer exhibit.

Ms. Brumfield presented the list of conditions on the screen, adding that she had photos if anyone was interested in seeing them.

Ms. Palmer said if there was only a setback issue and staff recommended it, and if there were no complaints from neighbors, this item would be on the consent agenda. She asked if this was on the regular agenda because of the complaint or if it was due to the number of setbacks.

Ms. Brumfield replied that this was due to the neighbor's concern. She said staff schedules these special exceptions on the action item agenda and send out neighbor notification as required in the ordinance. She said if staff receives no objections or concerns from the neighbors, the item is shifted to the consent agenda. She said since staff did receive a letter of concern from the neighbor for this item, it had to be kept on the action item agenda.

Ms. Palmer said she had assumed this was the case and that it was a great idea.

Ms. McKeel agreed, noting that she had a question. She asked if the Board could see the pictures that Ms. Brumfield mentioned. She asked Ms. Brumfield if, in fact, she had heard back from the neighbor who expressed concerns and they said they were no longer concerned, if this would have caused a switch to the consent agenda.

Ms. Brumfield replied that she believed so. She said she spoke with Ms. Borgersen about this and they determined that if they received confirmation from the neighbor before the agenda was finalized, it would seamlessly switch onto the consent agenda. She said if they had heard from the neighbor after the agenda was finalized, she would present to the Board the change without presenting the actual action item, and it would be on the portion of the meeting where the agenda is finalized, which would be the point at which it would shift.

Ms. McKeel said she understood there was a timing issue, and she was only curious as to how this would happen. She noted the pictures on the screen.

Ms. LaPisto-Kirtley said she had visited this property, and she had no problems with it whatsoever. She said she was very satisfied with the applicant wanting to put up some low-growing evergreens along the driveway. She said she would be happy to make a motion.

Ms. LaPisto-Kirtley **moved** to adopt the attached Resolution (Attachment G) to approve Special Exception 202100014 Stony Point Homestay with the conditions contained therein.

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

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

**RESOLUTION TO APPROVE SPECIAL EXCEPTION
FOR SE2021-00014 STONY POINT HOMESTAY**

BE IT RESOLVED that, upon consideration of the Memorandum prepared in conjunction with the SE2021-00014 Stony Point Homestay application and the attachments thereto, including staff's supporting analysis, any comments received, and all of the factors relevant to the special exception in Albemarle County Code §§ 18-5.1.48 and 18-33.5, the Albemarle County Board of Supervisors hereby finds that the requested special exceptions would cause (i) no detriment to any abutting lot and (ii) no harm to the public health, safety, or welfare.

NOW, THEREFORE, BE IT RESOLVED, that in association with the Stony Point Homestay, the Albemarle County Board of Supervisors hereby approves the special exception to modify the minimum 125 foot front southern, eastern, and western yards required for a homestay in the Rural Areas zoning district, subject to the conditions attached hereto.

* * *

SE2021-00014 STONY POINT HOMESTAY CONDITIONS

1. Parking for homestay guests is limited to the existing parking areas, as depicted on the House and Parking Location Exhibit dated June 17, 2021.
2. Homestay use is limited to the existing house, as currently configured and depicted on the House and Parking Location Exhibit dated June 17, 2021.
3. The existing screening, as depicted on the House and Parking Location Exhibit dated June 17, 2021, must be maintained, or equivalent screening that meets the minimum requirements of County Code § 18-32.7.9.7(b)-(e) must be established and maintained. Additional vegetative screening in the southeastern corner of the parcel mitigating the visibility of the dwelling from TMP 62-49B must be planted in the general location shown on the Buffer Exhibit dated June 17, 2021, and maintained with screening that meets the minimum requirements of County Code § 18-32.7.9.7(b)-(e).

Agenda Item No. 10. **Action Item:** SE202000019 Christian Aid Mission Special Exception for Disturbance of Critical Slopes.

The Executive Summary forwarded to the Board states that this proposed Special Exception is to allow grading of critical slopes (25 percent or greater slopes) to allow the construction of an entrance to the Christian Aid Mission property from Broomley Road.

This request was first scheduled for Planning Commission review based on the history of a similar Special Exception request submitted in 2014 to disturb critical slopes for a new entrance from Broomley Road. The prior request was in a different location on Broomley Road, farther east and closer to the Ivy Road intersection than the current proposal. That request was submitted and reviewed in conjunction with a Special Use Permit request to expand enrollment of the private school located on the property. Though Staff had recommended approval, the Board denied that 2014 Special Exception request. Further information regarding the prior proposal and action is provided in the attached staff report.

At its meeting on May 18, 2021, the Planning Commission unanimously voted to recommend approval of the SE202000019, Christian Aid Mission Critical Slope Waiver request.

County Code §§ 18-4.2.3(b) and 18-4.2.5(a) allow disturbance of critical slopes, provided the findings in § 18-4.2.5(a)(3) are made. Please see Attachment A for staff's full analysis of this proposal.

Based on the findings in the attached staff report, staff recommends approval of the applicant's request to disturb critical slopes with a condition specifying the general location and area of critical slopes that may be impacted.

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

Mr. David Benish, Development Process Manager, said this was a review of a special use permit request for disturbance of critical slopes on Tax Map 59, Parcel 23G1, or 3045 Ivy Road. He said this is the site of a Christian Aid Mission use, and the property is zoned CO Commercial Office. He said it has an entrance corridor designation in the Steep Slope Overlay. He said the Comprehensive Plan recommendation for this property is Rural Areas.

Mr. Benish said the property is located on the north side of Ivy Road, or Route 250, and abuts Broomley Road on the west side of the property, surrounded primarily by commercial and medical institutional uses, a church, and single-family residential uses. He said the railroad tracks of Buckingham Branch Railroad forms the northern boundary of the property, and the south side of Route 250 is primarily in rural uses.

Mr. Benish presented an aerial view of the property. He said the site contains Christian Aid Mission offices and a private school (Regents School), and some of the buildings are leased for other religious assembly activities on certain days.

Mr. Benish presented a map of the proposed road location. He said the special exception request is to allow for an internal road to Broomley Road and a new entrance onto Broomley Road. He said this was the general location for the use, and the areas of critical slopes were indicated in the gray area. He said also available is a cross-section for the road improvement on a slightly larger scale that he could come back and show as necessary, where one can see the critical slope activities that are identified with the dashed lines.

Mr. Benish said that in terms of planning history on this property, in 2014, a similar critical slope waiver request was submitted in conjunction with a special use permit for 2014-05 for the expansion of the Regents School, which was existing on the site at that time, but they wanted to expand enrollment. He said that request was denied by the Board of Supervisors and in the Board action, they noted that it would facilitate the intensification of the property contrary to the Comprehensive Plan, policies, and the rural character of the area. He pointed out that the location for this entrance was much closer to the entrance to Route 250, and this proposal is further from Route 250 and in a different location than the prior request.

Mr. Benish said the impact to critical slopes is approximately 5,000 square feet. He said the slopes are mostly manmade, and they were related to Broomley Road, most recently the bridge upgrade and deposits of material in this area, but also with other construction of Broomley Road in the past, the bridge, and some stormwater facilities on or near this site. He said there are some very small, potentially natural slopes, but the vast majority are manmade.

Mr. Benish said there are no critical resources identified adjacent to these critical slopes such as floodplain or stream buffers. He said the nearest water body is approximately 600 feet away. He said the property is in the South Fork Rivanna River watershed, however.

Mr. Benish said the access road and entrance onto Broomley Road can meet County and VDOT design requirements, respectively. He said Mr. Adam Moore from VDOT was present to answer questions, as well as Mr. Matt Wentland from the County Engineering Department.

Mr. Benish said in the review of the conditions reviewed and findings that need to be made regarding critical slope waiver, the County Engineer has reviewed the proposal or its impact on the movement of rock and soil, excessive stormwater runoff, siltation, loss of aesthetic resources, and septic effluent, which are identified within the ordinance. He said based on County Engineer's review, there are no engineering concerns with this proposal or which would prohibit the disturbance of critical slopes in this area.

Mr. Benish said in making the finding to grant this waiver, the Board may grant the modification if it finds that the waivers would not be detrimental to the public health, safety, or welfare, or to orderly development of the area or adjacent properties; would not be contrary to sound engineering practices; and must meet at least one of the four following conditions, adding that staff would provide their assessment of each of those four conditions, of which a minimum of one needs to be met.

Mr. Benish said the first condition is "A. Strict application of the requirements of Section 4.2 would not forward the purpose of this chapter or otherwise serve the public health, safety, or welfare." He said staff's assessment is that these critical slopes appear to be mostly manmade, some fairly recent. He said the County Engineer has no concerns with the disturbance of the slopes as proposed. He said the slopes are not associated with critical resources and are not visible from the entrance corridor. He said granting of the waiver would serve the public by providing alternative access to a signalized and controlled entrance onto Route 250.

Mr. Benish noted that the existing entrance on Route 250 is intended to remain open. He said this will not be the sole access to the property but an additional one.

Mr. Benish said the alternatives proposed by the developer would satisfy the purpose and intent, at least to an equivalent degree. He said that based on some of the findings that staff mentioned previously, staff does believe that the proposal does meet the purpose and intent of Section 4.2. He said it was also worth noting that any connection to Broomley Road, or almost any other connection directly to Broomley Road, would require a critical slope waiver as the boundaries of the property are all contained, manmade critical slopes.

Mr. Benish read aloud the following condition: "C. Due to the property's unusual size, topography, shape, or location...prohibiting the disturbance would effectively prohibit reasonable use of the property." He said this is not the case here, and there is reasonable use of the property with or without the critical slope waiver. He said the granting the modification would serve the public purpose to a greater extent, and the disturbance here is necessary to establish a signalized intersection and controlled access, which staff does believe is an improvement to access to this site.

Mr. Benish said based on the engineering review, there are no engineering concerns with the critical slope waiver and grading as proposed.

Mr. Benish said in summary, the factors favorable to this request include that it is a relatively small area of disturbed slopes, mostly manmade critical slopes; other resources are not directly impacted; the County Engineer has identified no concerns with the proposal; it will allow for the construction of alternative access to a controlled, signalized intersection; and the proposed entrance can meet VDOT requirements, while the internal road can meet County requirements for the design.

Mr. Benish said the unfavorable factors include that additional traffic would be introduced to Broomley Road with the resulting construction of the entrance.

Mr. Benish said in closing, prior to his recommendation, he would note that this was a first step in this process, and if the critical slope waiver is granted, a site plan amendment would be necessary to look at more specific engineering and design components. He said an amendment to the site plan would need to be submitted and approved and based on the current special use permit for the Regents School onsite, an amendment to that special use permit would likely be required to amend the application plan for that use, which does not show this road connection. He said there are therefore other steps necessary, and the applicant did want to pursue this step first before proceeding with those other steps.

Mr. Benish said in closing, based on the findings in the staff report, staff recommends approval of the special exception. He said there is a condition that refers to a particular site plan, which identifies a general area that was reviewed for impact to critical slopes.

Ms. Palmer said only three of the current Supervisors were on the Board in 2014, when they first saw this application for the entrance onto Broomley Road. She said they had a tremendous amount of feedback that included concerns from the neighbors. She said not all of the neighborhoods that use this exit and entrance onto Route 250 have even been notified at this point, which she wanted to mention this because she thinks that before they move forward with anything definitive, they should give the surrounding community an opportunity to weigh in on this more fully. She said the Board quite a few emails from one of the neighborhoods, and it was primarily very negative feedback up to this point.

Ms. Palmer said the concern is not with the environmental factors, nor the engineering. She said this has all been done well as far as she could tell. She said the problem in 2014, which continues to be a problem, is the safety of having an exit onto Broomley Road. She said this property is for sale, and her understanding was that they took the sign down that day. She said up until earlier that day, however, the sign was up. She said the school has been approved for a new location on Reservoir Road, so they will be moving. She said her understanding is that the school has been operating fine with the current exit.

Ms. Palmer said given that the Board does not know what will happen with this property (reminding the Board that in 2018, they granted sewer service to this property due to failing septic systems), and reading the minutes from 2014 over the weekend, she saw in the resolution (as Mr. Benish mentioned) that the Board's primary concern had been intensification of the use of this property.

Ms. Palmer said that after discussion, she wanted to propose to the Board that they ask staff to come back with some scenarios of what could happen on this property with the sale (and if the sewer were to be connected, as it was granted that ability in 2018) to get an idea of what could happen to this. She said she would like more information at some point. She said she saw the traffic count in this application, and she wondered if this was taken during COVID. She said she could not find the traffic count for Broomley Road from 2014.

Ms. Palmer said this information was not as important for that day, but what she thinks is particularly important is to allow the community to weigh on this more fully, and also to hear from staff on some scenarios that could occur on this property after the school moves out and the property is sold.

Ms. McKeel said this property is listed as being in the Jack Jouett District, which has happened before. She said for the record, they need to say that it is in the Samuel Miller District. She said this is important not only for the record, but because when thinking about the Supervisor of record for the project, it is Ms. Palmer.

Ms. McKeel said without having to repeat everything that Ms. Palmer said, which she agreed with completely, she had great concerns about rushing into a decision on this waiver. She said she had concerns about the neighbors not being notified. She said she understands that staff did exactly the notification that was necessary, so she was not being critical or saying that anything was done inappropriately. She said this crept up on the neighbors very quickly, and she thinks there needs to be more communication.

Ms. McKeel said this property is extremely challenging. She said regarding intensification of use after a sale, she would be interested in knowing what could be allowed and what would not be. She said as she represents some of the neighbors behind this property, she would like to step back and look at what the future could look like for this property in relation to approving this additional entrance.

Ms. Price said in order to avoid lengthy discussion, she would simply echo the concerns shared previously by Ms. Palmer and Ms. McKeel.

Ms. Mallek said she agreed with all of the proposals, including taking time to get more information. She said she remembered that during the sewer discussion a few years ago, and during the permit discussion before that, there were commitments by the owners about not expanding the intensity of the use on the property. She said she remembered putting in the phrase "current footprint" of the current church building at the time if it was going to be replaced. She said she did not see this as having made it into the conditions, unfortunately.

Ms. Mallek said this has been the primary concern all along for this challenging piece of land. She said when one buys a piece of property, one takes it words and all and does not expect the rules to change just because one bought something challenging. She said she did not see that this was a helpful change to make for an unknown future use.

Ms. LaPisto-Kirtley said she agreed with the other Supervisors and would go along with the recommendations.

Mr. Gallaway said he did not have any objection to what was proposed by the other Supervisors. He asked Ms. Palmer if she knew the date of the 2018 sewer approval.

Ms. Palmer said she believed it was 11-18-2018 or 11-17-2018. She said it was in November, and staff could give the Board the exact date, or she could pull it up.

Mr. Gallaway said it sounded as if there were no objections to this coming back, but he did not know what staff's reactions were to that. He said he was not on the Board when the 2014 application went through, but this property seems to be familiar in that it has been in front of the Board a couple of times, all connected to the school use. He said he recalled the critical slopes and sewer usage were all

connected to the school use. He said he was not able to find the minutes to revisit that meeting, but other than the last request for the sewer, he would ask Mr. Benish if this had been in front of the Board a few other times since 2017.

Mr. Benish said he would first note that the applicant, represented by Ms. Schlein and Mr. Tanner, had a presentation prepared, and perhaps the Board would want to hear from them. He said regarding the jurisdictional area amendment request, this was approved, though he did not have the date in front of him. He said this was in 2018 and was approved with a limitation to existing structures only, unless it was a new structure for a religious assembly purpose. He said there an out for a new building to have access if it is for a religious assembly type of use, which could include offices for religious assembly.

Mr. Benish said otherwise, the connections would have to be to existing structures, which are consistent with what is typically done with service to the Rural Areas. He said there is some control, depending on how they decide to provide that service. He said though he could be mistaken, he believed the service had been provided to the existing buildings, though the applicant may be able to clarify this.

Mr. Benish said this property has been before the Board on a number of occasions. He said the most recent ones have been for the private school, for which he believed the approvals went back to the early 2000s, with perhaps two, three, or four amendments to expand in size. He said 2014 was the latest expansion and at that point in time, the Board actually approved the expansion but set a sunset on the use. He said the use was supposed to leave the site by 2017.

Mr. Benish said at a later date, which was in the staff report, that restriction was removed. He said the church has purchased another site and was leaving but could not leave the site by the sunset date of 2017, so the Board did remove that condition.

Mr. Benish said uses run with the land, so theoretically, when the Regents School leaves the site, the special use permit for a private school remains on the site, but it is restricted to all the conditions that were specifically approved in the review of the Regents School use. He said these have been the legislative reviews that staff and the Board have looked at for the private school use.

Ms. Palmer said to answer Mr. Gallaway's question about the sewer approval, it was 11-7-2018. She said regarding the buildings that can be replaced, in reading the minutes, she saw that the church and the bunkhouse (which slept 26 people) could be replaced, and in the conditions of this was that the church was limited to the current footprint. She asked if this was correct.

Mr. Benish replied that for the special use permit, they are limited to those structures that are identified in the application plan, which he believed were those two buildings. He said the jurisdictional area amendment did not speak to the school specifically but rather, it spoke to the fact that the connections could be made to the existing structures, and the only new structures could be for religious assembly use that could connect. He said if a building were theoretically proposed for some other use, such as a commercial use permitted under CO zoning, that building should not be able to be approved and also have a connection to the jurisdiction area without a further amendment.

Ms. Palmer asked if the church is restricted to the current footprint, if the church were to be rebuilt and the bunkhouse were to be rebuilt.

Mr. Benish replied no. He said the church could build a new building, but any other use (such as the private school or other uses permitted under CO) would not.

Ms. Palmer asked if the church could then be larger than it is today.

Mr. Benish replied yes. He said this was why it was not an existing structures only designation in the jurisdictional area, and it did provide a caveat that would allow religious assembly uses to have a new building.

Ms. Palmer said this would then be connected to public sewer for a church of the size of whoever developed it. She said this goes to the question of the Board understanding the intensification of this property before voting on this.

Mr. Gallaway said there was clear indication by the Board of interest in deferring this or having this come back in some fashion. He asked if they needed to ask for details from Mr. Kamptner or Mr. Benish on this in terms of feasibility, etc.

Mr. Benish said that based on Mr. Kamptner's analysis and his confirmation, there are about two and a half months before some action needs to be taken on this application. He said given the time to turn around the additional information, which he may need more clarity on, they could make a meeting on September 1 or September 15 and be within that approval timeframe.

Mr. Gallaway asked Ms. Palmer and other Supervisors if they could restate what they would want to have happen in that timeframe.

Mr. Benish noted that he did have a slide that showed what the uses by right. He said with existing zoning, this is essentially what the potential uses boil down to. He said the ones where the Board has less control over approval would be the by-right uses permitted in CO zoning. He said they could go over those, though it was somewhat overwhelming to go over 20 or more uses, so it may be better to

have a report on it. He said in terms of speculating what may happen to the property, this is difficult for staff to do, but they can certainly give the Board the uses permitted by the Zoning Ordinance that are by-right uses, as well as the legislative ones where the Board would have some discretion on approval or denial.

Ms. Palmer said this would be fine with her. She said she would also like a report that states what the conditions were in 2018 (for example, if the church can be enlarged). She asked if this were the case for the bunkhouse. She said she listened to the meeting of the 11-7-2018 Board of Supervisors discussion on this, then read the minutes. She said she suspects if she had spent a few more hours on this, she could have figured it out better.

Ms. Palmer said she thinks it is important for the Board and the public to understand, as she wants to make sure that all the neighbors have a chance to weigh in. She said there were several neighborhoods that weighed in in 2014 that have not been notified on this, to date. She said she had no problem in trying to put the word out, and she did not know if staff had the ability to do that in this case, in this length of time. She said she did want to make sure that an effort is put out, and she would talk to Ms. Emily Kilroy on communication and information once there is a report. She expressed she was open to ideas, but she wanted to give the public more time.

Ms. Palmer asked what the conditions were, exactly, in 2018, and what the applicant can do on this property. She said she wanted more information on the history of the traffic count as well, as she was confused by the traffic count that she saw in the Board's packet as far as when it was done and what the pre-COVID traffic count was. She said there are a lot of neighborhoods using this now.

Ms. Palmer said she would make one comment that staff could not do much about, but she wanted everyone to understand that as Crozet develops, and as the stream of cars coming into town on Route 250 West becomes more intense, it becomes harder for people in Ivy that are north of 250 West to make a left-hand turn onto Route 250 to head towards town. She said many people in Ivy, as well as people in Candlewick and Westly, who try to go out by that light.

Ms. Palmer said she knows the traffic is much less during the last year and a half with COVID, and they do not know what is going to happen in the future, but even she has started taking this less convenient route from her house in Ivy because she cannot make a left-hand turn out of Owensville onto 250 West. She said this is a real issue with traffic continuing to increase in the future at this intersection, especially since they are not going to get a light at Westly or at Owensville anytime soon.

Ms. Palmer said she would like to know more information about the history of the traffic counts, which is simple, as well as scenarios and what the conditions were as to what can go on the property.

Ms. Palmer said she was sure the applicant could tell this to the Board, but she wanted to know when the school would be moving out. She said there is anticipation as to what will happen at that property, as there is not a master plan of what will happen there when the school moves out.

Ms. Palmer asked Mr. Benish if she provided him with enough information.

Mr. Benish replied yes. He said it was very helpful.

Ms. McKeel said while she recognizes it could be very difficult for staff, she would like to know, with the intensity of use based on what could be allowed, how this might affect the sewer system. She said this is a challenging piece of property, and the Board had long discussions about how the septic system was going to work. She said she knew it would have to be general, but she would like to have more information about what could happen to that piece of property with intensification and what the result would be to the septic system, if possible.

Mr. Gallaway said there was obviously interest in this coming back. He said he would not direct his next comment at the applicant, but when the Board has had these special exceptions come before them and create an agenda planning time, these times are not built out with expectation that the applicant is going to be allotted time. He said for homestay special exceptions, the Board does not allow the applicants time to make presentations, so he did not know where this expectation came from. He said perhaps his memory was wrong based on past experience, but he did not believe there had been time afforded here. He said others who want to speak to this have had to do so during public comment.

Mr. Gallaway said he was not opposed to building time in if it was the Board's interest and there was no objection to it, but 25 minutes had already surpassed of what was allotted for this, and with no objection from the Board to have this matter come back before them, this was the action he believed would happen that day. He said perhaps he and the Vice-Chair would need to have direction from Mr. Kamptner in terms of if the Board could build in time to let the applicant speak, as this may be useful.

Mr. Kamptner said the Board has not invited comment from the applicant for special exceptions such as this. He said his suggestion would be that when this matter does come back, it be scheduled as a public hearing so that the applicant has the full amount of time (10 minutes) to present their case, and the public has the opportunity to speak on the matter as well.

Mr. Gallaway said he did not think the applicant should have to make a spot call on that at that time. He said if they wanted to come back, as per normal procedure with a special exception, they could do that. He said if they wanted to do a full application, they could suggest this is their wish, which could

inform whether or not it is a public hearing. He asked if it is a public hearing, it can be brought back at a future consent to have it come back, or if they could schedule it as such.

Mr. Kamptner replied that it could be scheduled as a public hearing, and the Board could give that direction.

Mr. Benish added that when staff has recommended denial of uses, they usually give the applicant an opportunity to speak. He said staff did not recommend denial in this case, but based on the later information that there may be some concern with this approval, this is why the applicant was prepared for a presentation. He said this could certainly be scheduled for a public hearing so that they can hear from the public as well.

Mr. Gallaway said he appreciated this, and they want to stay true to what they have done in the past, especially for timing and agenda planning. He said he did not want other special exceptions to now think they can be prepared to make presentations when this is not the norm.

Mr. Benish said this was the exception. He said usually, these are done by consent agenda unless there is a recommendation for denial.

Mr. Gallaway said the matter could be brought back, and Mr. Benish could confirm with the applicant their input. He said by the time this comes to the next pre-agenda meeting, Mr. Richardson will iron out exactly how and when this will come back to the Board, working with the Clerk's Office.

Mr. Benish said he checked with the clerk earlier that morning and given the information she asked for, he thinks the best day will likely be September 15. He said he would confirm this, but this is the day that would give them the most time to put that information together.

Mr. Gallaway said he believed he saw heads nodding when Ms. Palmer was listing the things to have brought back. He said this includes the history involving the applicant and the piece of property's time in front of the Board would be helpful, even if it is just the dates and what the action was.

Mr. Gallaway asked if there were any additional comments.

Ms. Mallek said she had a question. She asked in terms of the notification that would normally be sent to abutting neighbors for a public hearing, she assumed those costs would be passed along to the applicant if it was put on as a public hearing, and they would have to figure that out.

Mr. Benish said there is no notification required for special exceptions, so there are no standards or anything in the ordinance that would permit the fee to be transferred. He said he would have to check with the County Attorney's Office on this. He said this is one reason why they do not send modified notifications, as there is no established standard and they do not want to be arbitrary from one proposal to another as to how they notify. He said this is something he will perhaps work on with Ms. McKeel and Ms. Palmer regarding the best way to notify their constituency, as they do not have a standard for special exceptions.

Ms. McKeel said the Board recognizes that this is an exceptional situation, and it is not something that they have happen very often.

Ms. Mallek asked if this request truly qualifies in the very limited special exception category. She said this is something staff can think about and figure out, as this is a piece of property that has been before the Board many times, and they know there are challenges where perhaps this is not something that should be a simple exception.

The Board deferred SE202000019 Christian Aid Mission Special Exception for Disturbance of Critical Slopes.

Agenda Item No. 11. **Action Item:** Rural Rustic Road Resolutions Designations.

The Executive Summary forwarded to the Board states that each spring, the Board of Supervisors approves the Secondary Six-Year Plan (SSYP), which includes funds dedicated to paving unpaved roads in the County under the Rural Rustic Road (RRR) paving program. The RRR paving program is the Virginia Department of Transportation's (VDOT) preferred approach to paving low-volume roads with a goal of retaining the traditional rural lane ambience, while improving the road surface within the current right-of-way. The process for identifying and prioritizing RRR paving projects in Albemarle is defined in the Unpaved Road Policies and Review Process (see Attachment A).

When a paving priority is advanced, funds are allocated to the road and the road becomes a project in the SSYP following the spring public hearing, typically held each May. Within one year before paving the road, adjacent landowners are notified by letter and given an opportunity to comment again after the spring public hearing. Following that comment period, the Board may choose to designate by Resolution the road as RRR or not. If a road is designated, VDOT would initiate the paving process. A "chip and seal" surface (or asphalt where acceptable) is used to pave the existing alignment and width of the road for minimal disturbance.

The following road segments are fully funded for RRR paving in FY 2022:

- A 0.72-mile segment of Route 784 Burnt Mill Road (from Route 600 to Route 1009),
- A 0.65-mile segment of Route 612 Hammocks Gap Road (from Route 20 to 0.65-mile south of Route 20),
- A 0.38-mile section of Route 720 Harris Creek Road (from .25-mile west of Route 20 to the end of state maintenance)
- A 1.53-mile segment of Route 760 Red Hill School Road (from Route 29 to Route 712) is partially funded in FY2022 and is proposed for paving in FY 2023. VDOT would like to advance the Resolution for Red Hill School Road to begin construction of critical failing pipe(s) prior to school reopening in Fall of 2021. The designation of Red Hill School Road would allow that needed work and the scoping for the RRR paving to begin. A small portion of the currently paved section of Red Hill School Road is within the limits of the scoped RRR paving.

VDOT does not normally re-pave any existing paved portions unless the pavement is failing, but with the pipe replacement or ditch cleaning needed in that segment of roadway, re-paving that portion could fall within the limits of the RRR paving. VDOT will assess that during the scoping process and if it does not need to pave a section of the road, the funds would roll over to the next available project within the SSYP.

Before paving these roads under the RRR program, VDOT requires that the governing body adopt a resolution designating the roads as Rural Rustic Roads.

In FY 2022, Albemarle County received funds to pave Route 784 Burnt Mill Road, Route 612 Hammocks Gap Road, Route 720 Harris Creek Road, and portions of Route 760 Red Hill School Road. After the SSYP was adopted by the Board at the May 19, 2021 public hearing, notification letters were sent to property owners on those roads requesting comment on the proposed RRR paving, with the following results:

- Route 784 Burnt Mill Road (from Route 600 to Route 1009) - Staff sent forty (40) letters to property owners and received two (2) responses in opposition to the paving, citing concern about potential speeding and potential danger for residents walking on the road.
- Route 612 Hammocks Gap Road (from Route 20 to .65-mile south of Route 20)- Staff sent thirty (30) letters to property owners and received six (6) responses; five (5) of which expressed support for the paving with requests for the entire road to be paved. (The .65-mile segment to be paved is the only portion eligible under the RRR paving.) One (1) property owner asked questions regarding the timing and the paving process.
- Route 720 Harris Creek Road (from .25-mile west of Route 20 to the end of state maintenance) - Staff sent thirty-five (35) letters to property owners and received one (1) response supporting the paving but expressing concerns about speeding.
- Route 760 Red Hill School Road (from Route 29 to Route 712) - Staff sent forty (40) letters to property owners and received nine (9) responses, seven (7) of which expressed support for the paving. One (1) response had specific questions on the paving process, and one (1) opposed the paving because they use the road for walking and biking.

All four (4) roads proposed for RRR paving are in an area of the County designated by the Comprehensive Plan as Rural Area and are zoned accordingly. Red Hill School Road also has a portion zoned Village Residential. The Rural Area designation discourages new homebuilding and subdividing, and supports low intensity uses such as agriculture, forestry, and protection and preservation of natural resources. There is no pending development and it is unlikely that any future development would be of an intensity that would increase traffic on these roads due to the Rural Area designation. Following any RRR paving, VDOT performs a traffic engineering study to determine the appropriate speed. RRR's have a maximum 35 mph posted speed limit. Speed bumps or other traffic calming modifications are typically done through VDOT's traffic calming process and not as part of the RRR paving process.

Adoption of these Resolutions would have no impact on the County budget. These resolutions authorize VDOT to expend state funds on a project for which the Board has previously recommended state funds be allocated through the SSYP.

After the public hearing, staff recommends that the Board adopt the attached resolutions to designate Route 784 Burnt Mill Road (Attachment B), Route 612 Hammocks Gap Road (Attachment C) Route 720 Harris Creek Road (Attachment D), and Route 760 Red Hill School Road (Attachment E) as Rural Rustic Roads.

Mr. Daniel Butch, Senior Planner in Transportation, provided background on the rural rustic road pavings. He said the funding toward these road pavings is allocated from the Secondary Six-Year Plan. He said candidate roads are petitioned by property owners or recommended by Board members, which develops the Albemarle County priority list for secondary roads of unpaved roads. He said each year, typically in early spring, the Board updates and approves the County's priority list of unpaved roads and the Secondary Six-Year Plan.

Mr. Butch said to qualify for this paving, VDOT does an evaluation, and the road must not require substantial improvements such as widening, regrading, or realignment. He said they look at the curves of the road, potential drainage issues, and traffic count restrictions (must be over 50 vehicles per day, but under 1,500 vehicles per day to qualify). He said expected future growth and traffic increase along the road needs to be minimal as well to qualify as a rural rustic designation.

Mr. Butch said these roads are within the Rural Area and that within this area designation, it [inaudible] new home building and subdividing, but supports low-intensity uses such as agricultural, forestry preservation, and protection of natural resources.

Mr. Butch said to give an overview of the paving process from the time the road is petitioned to be paved to the County, VDOT would then evaluate the road to see its eligibility and if it qualifies, it is added to the priority list of unpaved roads. He said from that priority list, funds are allocated in the Secondary Six-Year Plan. He said the entire process is several years in the making, and some of the roads are on the waiting list for several years out. He said once a road is fully allocated in the Secondary Six-Year Plan, a public hearing is held (every spring), and it is endorsed by the Board. He said it is then designated as a rural rustic road by resolution. He said the following fiscal year, it is paved by VDOT.

Mr. Butch said the first road on the list was Burnt Mill Road, for which the paving is a seventh-tenths-of-a-mile segment from Watts Passage to Cindy Lane. He said it is therefore not the entire segment of Burnt Mill Road, but what qualified was the segment shown in red on the map on the screen. He said this was a public request in 2018.

Mr. Butch said that for Hammocks Gap Road, this goes from Route 20 to six-tenths of a mile south of Route 20, past the new bridge replacement on Hammocks Gap Road. He said the entire segment was not eligible for rural rustic paving. He said this was a public request in 2016.

Mr. Butch said there is also Harris Creek Road, and the beginning portion of that road, off Route 20, is paved. He said the new paving will continue from where the existing paving stops, to the end of state maintenance, almost four-tenths of a mile. He said this was a public request in 2007.

Mr. Butch said lastly, Red Hill School Road is proposed to be paved for a little over a mile and a half, going from Route 29 to North Garden Lane. He said this was a public request in 2011. He said there is a small segment of paving in front of the school, and VDOT would evaluate this to see if it still meets paving criteria. He said VDOT will decide if it needs to be resurfaced for the whole segment or for the segments outside of the existing paving.

Mr. Butch said staff recommends that the Board adopt the attached resolutions to designate Burnt Mill Road, Hammocks Gap Road, Harris Creek Road, and Red Hill School Road as rural rustic roads to be paved in the coming fiscal year.

Ms. Palmer noted that Harris Creek Road was put on the list in 2007. She asked Mr. Butch to confirm this. She said she knows the County sends out letters to the residents along the road and many times, it is her understanding that they do not hear back from the residents. She said they only hear back from a few, and sometimes everyone wants the road paved while other times, it is half. She asked Mr. Butch what he perceives to be, on average, the number of people who actually respond to the letters that the County sends out about paving.

Mr. Butch said this year, there were four roads to send out. He said on average, as shown in the Executive Summary, it was two to five cases of feedback per road segment. He said Red Hill School Road had more. He said in the overview process or timeline, staff identified that for next year's update of the Secondary Six-Year Plan, they evaluated that after the Secondary Six-Year Plan work session, typically February or March is when it is endorsed by the Board, which is when staff would send letters to property owners to notify them of the upcoming paving prior to the Secondary Six-Year Plan public hearing. He said they can provide this opportunity for public feedback and get Board endorsement of the Secondary Six-Year Plan for adoption as well as the resolutions for rural rustic roads.

Ms. Palmer said this was her point. She said the Executive Summary says that with Harris Creek Road, staff sent out 35 letters and only got one back. She said she does not know what the better process is but given what the mail system is like these days in the rural areas, and given that many people get so much junk mail that they throw things out, she wonders if there is someone in 2007 who wants their road paved and only one response back is received 2021, how they would know if that one person still even lives on the road and if they are really communicating with people on the road.

Ms. Palmer said she was not expecting Mr. Butch to answer that, as it is difficult to answer, but she believes that going forward, the Board needs to think about a better way to communicate with people. She said many people do not want their roads paved, and for her, one of the selling points of her house was that it was on an unpaved road because she knew she could walk on it more easily, there would be less traffic and speeding, etc. She said it was therefore important for her to do that, and she knows she is not alone in that, whereas there are others who very much want their roads paved for all kinds of reasons.

Ms. Palmer asked Mr. Butch if he could tell the Board what the traffic count was in 2007 on Harris Creek Road versus in 2021.

Mr. Butch said he could gather this information for the Board.

Ms. Palmer said her point is that they are supposed to be paving roads that have over 50 cars per day. She said in 2007, that road may not have come up to the top of the list for many years simply because it did not have the traffic count but now, it does. She said one of her concerns is that the state gives the County money for paving unpaved roads, and this is the only thing they can use it for. She said there is therefore an incentive to pave roads in Rural Areas, which does change the character of the neighborhood.

Ms. Palmer said as they go through the lists where they get to roads that may have been on the paving list for many years (perhaps because they did not have the traffic count and they are now up to 80 cars, for instance, versus 45 cars in 2007), she thinks this is something the Board needs to understand as they have fewer and fewer unpaved roads in the County. She said the question is if they are pushing this because they have the money and not because the road is really necessary to be paved.

Ms. Palmer said the Board has received requests from citizens before, and they received another email about it recently. She said the report says there is no expectation for this to change the character of the area or development in the area, but there is no assessment of development rights being done on the road. She said she knows there are issues with figuring out development rights, and she thinks they all understand that the difference between what development potential is and what they call a "development right" are two different things. She asked how difficult it would be to add something about potential development rights to the criteria that staff gives to the Board when they are making decisions about these kinds of areas.

Ms. Palmer asked Mr. Butch if staff considers cut-throughs, as some of these roads will not become cut-throughs while others will.

Mr. Butch said staff reached out to VDOT, and they noticed from feedback in their resolutions of designations of rural rustic roads that they do not see significant development occurring on this road. He said they are doing an internal tracking of past requested pavings, and they gathered from the early 2000s all rural rustic roads that were paved. He said they will have this internally, within their database, for Planning staff to identify where there is a Rural Area development occurring on the road.

Mr. Butch said the tracking of development rights involves collaboration internally with other planners. He said staff has not been able to commit time to full diving into this yet, but they know that for tracking purposes, this will be beneficial within the designation of rural rustic roads.

Ms. Palmer said she appreciated the historic aspect, but being proactive and understanding before the Board approves it is important. She said it may not be politically palatable to deny a road based on that, though she did not know, adding that it was a decision for a future Board, for next year. She asked Mr. Butch if he could comment on the Board going through the list of roads and getting further down on the traffic count. She said she noticed they have gotten a lot of the higher traffic count roads done. She asked if they were still doing those, or if the traffic counts are increasing so much in the Rural Area because of development, wineries, and the like.

Mr. Butch asked Ms. Palmer if she was referencing the County priority list of unpaved roads.

Ms. Palmer replied yes, adding she was referring to what was left on it as the Board goes through it.

Mr. Butch said that from what he has seen in the past several years, it shows that many of the roads that have been funded are at a couple hundred vehicles per day. He said this is where the roads they are now designating as rural rustic seem to be. He said he could dive into historical information, and staff would have this information, though he was not sure if he would be able to provide it during the presentation.

Mr. Kevin McDermott, Planning Manager, said the Board had prioritized the rural rustic program to say that they wanted to pave the roads with the highest traffic counts first. He said this is why they have slowly moved to this point where they have now paved all of the roads they have received requests for that did have that high traffic count. He said Ms. Palmer was correct that now, they are down into [inaudible] roads that have around 80 to 150 cars per day on them.

Mr. McDermott said staff does review the VDOT traffic counts annually, and they update these. He said typically, staff does not see big jumps in those numbers of traffic on any of these roads, if any increase at all. He said from what they have seen in reviewing these, there are no significant increases in traffic on most of these rural roads, according to VDOT data.

Ms. Palmer said she appreciated the efforts on the development potential.

Ms. McKeel said she appreciated the report.

Ms. Price said that as Ms. Palmer addressed, every time a paving decision comes up, there will generally be a significant disagreement by the property owners who abut that road, as some people like to see the roads paved and others do not. She said this is simply the reality.

Ms. Price said specifically with regard to Harris Creek Road, as Ms. Palmer pointed out, 35 letters went out, and one came back. She said the major concern there was speeding because there are two wineries at the end of Harris Creek Road, and so speeding, safety, and operation of vehicles by those who have been consuming alcohol at a winery become concerns.

Ms. Price said in other areas, some of the water flow after roads have been paved can become an issue, and she knows VDOT works on that.

Ms. Mallek said in the past, the Board has discussed measures that County staff may or may not

take to ensure they are actually compliant with these VDOT rules. She said in her memory, there has never been a discussion in detail about the impacts that certain paving projects would have. She said the remaining development rights was certainly one way because the Board is supposed to affirm that this will not change development patterns. She said yet, she guarantees that people who do not want to live on a dirt road are going to buy a lot on a paved road when one becomes available. She said the places on Dick Woods Road that are paved have much more density, and the people in the gravel area are fighting hard to keep it gravel because this is what they like.

Ms. Mallek asked staff if they have ever determined or talked about which of these gravel roads are used for bicyclists, runners, and other groups. She said there is all sorts of technology that would allow the County to easily find that information, and local organizations would help with this as well. She said there are recommended running and biking roads in shops that direct people to these places.

Ms. Mallek asked how staff can evaluate the impact this paving will have on natural resources, drainage, and biodiversity in the area. She said when looking at one small section, there is a tunnel vision to answer one question, but there are many other questions that the Board and staff would benefit from better looking at.

Ms. Mallek said one thing on the approved list that day is the large number of development opportunities that are on a very rural country road. She said if this is something that has already been affirmed by the Board, they have missed their window on that.

Ms. Mallek said Mr. Butch mentioned that after the Board endorses a project, then letters of comment go out to the neighbors. She said she would affirm that in the old days, the residents had the burden, had to gather themselves, and had to get their petitions together before the staff event spent time working on things. She asked why staff should spend many hours getting something ready when they know it will be an argument for five years.

Ms. Mallek suggested they would benefit by putting it back on the residents, that if they want something to be paved, they should get all of their people to sign on the dotted line. She said these would likely then be the same people who would be walking and bicycling on the road. She said that around Red Hill School Road, many people were apparently concerned about the children who walk to school on the road.

Ms. Mallek said the Board would benefit greatly by having a wider understanding of these things. She said she feels badly that they were endorsing projects, then never got a chance to go back, adding that they did not have the right information when they endorsed them. She said she hopes they will do this differently, going forward, to have enough information to be able to make a surefire decision.

Ms. Mallek said the speeding, safety, and drainage concerns that are created by the rural paving cannot be ignored. She said she hopes they will be thinking about this more in the future because gravel road residents are becoming more and more protective. She said if the County can do a better job of analyzing these things ahead of time, she believes it will help.

Mr. Gallaway noted that this was a regular action item, but the Executive Summary did speak about a public hearing and recommendation. He said they need to be careful with the information being put out in the Executive Summary.

Ms. Palmer said she would like to ask staff if they could comment on Ms. Mallek's question that they put this back on neighbors to get the petitions together, rather than looking at something from years ago that has finally come up on the list. She said any petition that happened 15 years ago is liable not to be relevant today.

Mr. Butch said based on the Board's direction, going into next year's update on the Secondary Six-Year Plan, it may be a good idea to send letters to property owners on any roads that are identified on the unpaved list to gather feedback to the work session. He asked Ms. Mallek if this is what she was suggesting.

Ms. Mallek replied no. She said she believed this was poking a stick in a wasp's nest. She said if there is a safety issue that a school bus driver or the police department reports, this is a different category. She said if it is one person who says they are tired of the road and want it paved, they get on the list, but there is no one else, this is what she wants to have more collegial work on. She said she would not suggest going to look for trouble.

Mr. Butch noted Ms. Mallek's remark. He said that having done this several years in a row, he has found that for property owners, this is their first time being aware of this paving, and so the petitions are several years old – sometimes ten years old. He said staff does have the year in which each road was placed on the unpaved roads list, and some of them go back to 2004. He said staff does need to internally look at this process and how they are receiving feedback from property owners.

Ms. Palmer added that there are terrible storms, and some people may have a culvert that is clogged or washes out. She said VDOT does the maintenance, corrects the problem, and grades the road and sometimes, this does not happen until there is another huge storm. She said other times, it does continue to happen. She said she thinks that in 2018 and 2019, there were a lot more people complaining about roads because there was a substantial amount of rain (e.g., 60-80 inches of rain each year). She said she received many more letters about roads, so she wanted to note this, though

sometimes it is corrected because VDOT does the proper maintenance.

Mr. McDermott said he wanted to address some of the comments he heard by stating that staff has proposed the potential of doing a multimodal transportation plan for the County as part of an update to the Comprehensive Plan. He said he thinks this would likely be an appropriate time to take another look at the rural rustic road paving program and make sure that the process they are using is something that is still valid.

Mr. McDermott said the process they are working on was developed perhaps six to eight years ago, and it had steps and certain criteria staff looked at. He said perhaps it is time, however, to take another evaluation of the process, and during the Comprehensive Planning process would probably be the best time for that. He said the Supervisors' comments were noted, and staff will see how they can incorporate these in the future.

Mr. Gallaway asked if it was time for a motion.

Ms. McKeel asked to see the motions.

Ms. Palmer asked if they had done the public hearing yet.

Mr. Gallaway noted there would not be a public hearing as this was a regular action item. He said his comment was that in the recommendation, it said, "...after the public hearing," but this was a typo.

Ms. McKeel **moved** to adopt the attached resolutions to designate Route 784 Burnt Mill Road (Attachment B), Route 612 Hammocks Gap Road (Attachment C) Route 720 Harris Creek Road (Attachment D), and Route 760 Red Hill School Road (Attachment E) as Rural Rustic Roads.

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

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

NAYS: None.

RESOLUTION TO DESIGNATE ROUTE 784 BURNT MILL ROAD AS A RURAL RUSTIC ROAD

WHEREAS, Virginia Code § 33.2-332 permits the hard-surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Albemarle County, Virginia ("Board") desires to consider whether the .72-mile segment (the "Road") of Route 784, Burnt Mill Road, from Route 600 to Route 1009, should be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of any pending development that will significantly affect the existing traffic on this Road; and

WHEREAS, the Board believes that this Road should be so designated due to its qualifying characteristics; and

WHEREAS, this Road is in the Board's six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle County Board of Supervisors hereby designates the .72-mile segment of Route 784, Burnt Mill Road, from Route 600 to Route 1009, a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation; and

BE IT FURTHER RESOLVED, the Board requests that this Road be hard-surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state; and

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

RESOLUTION TO DESIGNATE ROUTE 612 HAMMOCKS GAP ROAD AS A RURAL RUSTIC ROAD

WHEREAS, Virginia Code § 33.2-332 permits the hard-surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Albemarle County, Virginia ("Board") desires to consider whether the .65-mile segment (the "Road") of Route 612 Hammocks Gap Road (from Route 20 to .65-mile south of Route 20) should be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of any pending development that will significantly affect the existing traffic on this Road; and

WHEREAS, the Board believes that this Road should be so designated due to its qualifying characteristics; and

WHEREAS, this Road is in the Board's six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle County Board of Supervisors hereby designates the .65-mile segment of Route 612 Hammocks Gap Road (from Route 20 to .65-mile south of Route 20) a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation; and

BE IT FURTHER RESOLVED, the Board requests that this Road be hard-surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state; and

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

**RESOLUTION TO DESIGNATE ROUTE 720 HARRIS CREEK ROAD
AS A RURAL RUSTIC ROAD**

WHEREAS, Virginia Code § 33.2-332 permits the hard-surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Albemarle County, Virginia ("Board") desires to consider whether the .38-mile section (the "Road") of Route 720 Harris Creek Road (from .25-mile west of Route 20 to the end of state maintenance) should be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of any pending development that will significantly affect the existing traffic on this Road; and

WHEREAS, the Board believes that this Road should be so designated due to its qualifying characteristics; and

WHEREAS, this Road is in the Board's six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle County Board of Supervisors hereby designates the .38-mile section of Route 720 Harris Creek Road (from .25-mile west of Route 20 to the end of state maintenance), a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation; and

BE IT FURTHER RESOLVED, the Board requests that this Road be hard-surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state; and

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

**RESOLUTION TO DESIGNATE ROUTE 760 RED HILL SCHOOL ROAD
AS A RURAL RUSTIC ROAD**

WHEREAS, Virginia Code § 33.2-332 permits the hard-surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Albemarle County, Virginia ("Board") desires to consider whether the 1.53-mile segment (the "Road") of Route 760 Red Hill School Road (from Route 29 to Route 712), should be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of any pending development that will significantly affect the existing traffic on this Road; and

WHEREAS, the Board believes that this Road should be so designated due to its qualifying characteristics; and

WHEREAS, this Road is in the Board's six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle County Board of Supervisors hereby designates the 1.53-mile segment of Route 760 Red Hill School Road (from Route 29 to Route 712), a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation; and

BE IT FURTHER RESOLVED, the Board requests that this Road be hard-surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state; and

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

Non-Agenda Item: Recess.

Mr. Gallaway said the next item was "Proposed 2022 Legislative Priorities," scheduled for 60 minutes. He asked the Board if they wished to take a recess first.

The Board recessed its meeting from 3:16 p.m. to 3:29 p.m.

Agenda Item No. 12. **Work Session:** Proposed 2022 Legislative Priorities.

The Executive Summary forwarded to the Board states that each year the Board considers and approves a set of its legislative priorities to pursue in the upcoming General Assembly session. The Board then meets with the County's local delegation from the General Assembly to discuss these priorities and submits them to the Thomas Jefferson Planning District Commission (TJPDC), the Virginia Association of Counties (VACo), and the Virginia Municipal League (VML).

This is the first of three anticipated Board discussions to develop its priorities for the 2022 General Assembly session.

Following are the legislative priorities suggested by Supervisors or staff over the past several months:

- Speed monitoring devices: Expand the authority to use speed monitoring devices on the County's rural roads, which under the current new law may be used in school crossing zones and highway work zones.
- State technology: Request the State to comprehensively upgrade its technology to better serve the Commonwealth.
- Recordation fees: Establish an additional recordation fee or tax whose revenue must be devoted to affordable housing programs within the locality.
- Erosion and sediment control: Establish a minimum erosion and sediment control standard for agriculture and forestry operations.
- Utilities: Require utilities to be responsible for their infrastructure when infrastructure failures affect customers.

Staff has recently identified one additional priority to recommend to the Board for consideration, but it requires further analysis before it is presented. These priorities are in addition to multi-year, multi-locality, legislative projects, such as seeking authority to impose impact fees on development to offset impacts on public facilities.

Staff will provide more information about each of these items, as well as a review of new legislation from the General Assembly's 2020 special session and 2021 session, at the Board's July 7 meeting.

There are no specific, identifiable budget impacts.

Staff recommends that the Board review the list of legislative priorities that have been suggested, identify those that have preliminary Board support, and recommend any changes and additions.

Mr. Greg Kamptner, County Attorney, said there were several proposed priorities to review. He said to quickly review the process, staff met with Mr. David Blount, and appeared they were targeting November as when they will meet with the local General Assembly delegation. He said between present time and then, staff will return to the Board at least two, likely three, times and allow the Board to set its legislative priorities, positions, and policy statements in October, prior to the November meeting with the local delegation.

Mr. Kamptner said in looking at the Board's priorities from the previous year and the results, there was success with the carryover legislation that the Board had set. He said this is a big step forward for the departments of Finance and Facilities and Environmental Services, which handle the bulk of the procurement and contract work that tends to extend over multiple fiscal years.

Mr. Kamptner said another success was a priority that he believed other localities had also pursued, which was the authority to meet electronically to adopt the Continuity of Government Ordinance. He said as the Board would recall, early in the pandemic, they had to physically assemble to adopt its Continuity of Government Ordinance.

Mr. Kamptner said another bill that the Board pursued last year, at the County Attorney's Office's recommendation, involved clarifications to the firearms legislation that the Board had adopted in 2020. He said over time, staff has concluded that the County can proceed without any additional legislation, and particularly for the jointly owned public facilities, they will work with the City to get their cooperation and agreement with respect to those jointly owned public facilities that happen to be located in the County. He said one example of this is Darden Towe Park.

Mr. Kamptner said there were three other priorities for the Board for which there is no action, so they would revisit those to see if the Board is interested in continuing to pursue them. He said that in 2020, one of the priorities was to enable civil penalties in lieu of criminal punishment for violations of local ordinances. He said this would decriminalize a number of activities that are regulated by local ordinances, and the civil penalties would enable civil enforcement as opposed to prosecution as crimes.

Mr. Kamptner said that in the 2020 meeting with the local delegation, the comment that he noted was a suggestion to consider combining the concept of this priority with the priority for civil penalties for zoning violations, which he would discuss on the next slide.

Mr. Kamptner said he would pause to allow the Board to discuss whether they want to continue pursuing this enabling authority.

Ms. Palmer said she would still be interested in combining the concept with the priority of civil penalties.

Ms. McKeel agreed that she believed this was a great idea, and it was Ms. Price who brought this forward. She said this is, in her mind, a no-brainer, but having said this, she wanted to note that what they would be talking about is a fine of some sort.

Mr. Kamptner confirmed this was the case.

Ms. McKeel said there are ordinances that have not been looked at for 20-30 years, and there are fines that are \$10. She said everyone needs to realize they will have to look at those. She said it is about the practicality of asking for this and if the Board got it, they would then have to go back and look at their fine structure. She asked if this was correct.

Mr. Kamptner replied that the low civil penalties Ms. McKeel was referring to were ones that the Board discussed the day prior, looking at Chapter 9 of the County Code that deals with certain parking violations, where fines are \$10 and \$25.

Ms. McKeel agreed. She said she did not know if there were others, but she was happy to do this, as she thinks it is the right way to go. She said she does recognize that some of the fines will probably need to go up.

Mr. Kamptner said this was where the suggestion comes in to perhaps combine what they are discussing on this slide with the zoning civil penalties. He said the Board may recall that the way the current enabling authority is, the County's civil penalty for a zoning violation is \$200 for the first violation, then \$500 for subsequent ones. He said this kind of civil penalty framework is quite different from what they see in many of the current ordinances that do identify a civil penalty.

Ms. McKeel said she recognizes that while this was not necessarily a great example, they have had a fine structure for some of the people who are bad actors, or even developers who have not followed some ordinances (for example, stormwater). She said at the end of the day, it is cheaper for them to keep doing what they are doing. She said the Board has discussed this numerous times.

Mr. Kamptner agreed.

Ms. McKeel said these people do this rather than actually addressing the problem, and the Board needs to make sure they are not there.

Ms. Price said she supports this priority, with the proviso that, following up on Ms. McKeel's comments, they do know that there will be some individuals who say they will simply pay the civil penalty rather than actually improving the situation. She said she thinks that at a certain point, if the civil penalty is insufficient for a repeated violator, the County should still be able to have criminal enforcement. She said her concern from the beginning, however, has been overcriminalization of some conduct, so she would like to see the Board continue to pursue this priority.

Ms. Mallek said she agreed with these penalties for the first offense, but as Ms. Price and Ms. McKeel just mentioned bad actors, it took 10 years for the Zoning Department to accumulate \$10,000 in fines for one particular business in the White Hall District to move it to criminal so that they would pay attention. She said the bad actors did not pay anything and simply ignored everyone. She said she understands that when a judge sees a criminal charge, they are less likely to uphold it because they think it is too much, but without that follow-up of being able to finally hold someone accountable, she thinks the County will be ignored.

Ms. Mallek said the destruction of a tree buffer should have a serious fine of thousands of dollars. She said someone who has purposely torn down 100 2-foot-diameter trees should not be allowed to put up 100 tiny trees. She said this is something that is crushing to a community and the environment.

Ms. Mallek said these are the kinds of things that are in the back of her mind when she hears about this priority. She said in many cases, this will be very logical, and for people who are interested in participating in their community and following the rules, it will be very effective. She said that for those who do not have either of those guiding behaviors, however, the County will need to have some serious enforcement to follow at some point, though she did not know exactly where.

Ms. LaPisto-Kirtley said she wanted Mr. Kamptner to address this. She said she thinks this would work for the majority and she agrees with it, but if there is someone who ignores the fines and the matter goes on and on, she would want to know if there is potential for criminal violation.

Mr. Kamptner replied yes. He said picking up on the theme of the suggestion from one of the local representatives, borrowing from how civil penalties for zoning violations are handled, once one reaches a threshold (which is currently \$5,000), the locality can then transition to criminal enforcement.

Ms. LaPisto-Kirtley said as long as they have the ability to transfer over the criminal enforcement, as well as the ability to increase several penalties from a small amount to increasingly larger, she thinks this is a great way to go.

Mr. Gallaway expressed his support as well.

Mr. Kamptner said this was the proposal from 2020 about increasing civil penalties for repeated violations of zoning regulations. He said thinking of this and the increasing structure (\$500 for the first violation, then \$1,000, \$1,500, and \$2,000), or even if the penalties remained as they are (\$200 to \$500), there will be an increasing punishment for repeated violations, plus the specter of criminal enforcement looming once one reaches the \$5,000 threshold.

Mr. Kamptner said the Board could see the comments from 2020 from the local delegation. He said one comment was about considering combining what the Board just discussed so that the two types of statutory schemes would either become one or become similar to one another. He said another representative suggested doing away with what is in the current civil penalties provision, which makes each day a violation, but one cannot have more than one violation in any 10-day period. He said it should just be \$500 per violation and this way, one much more quickly reaches the \$5,000. He said probably more importantly, however, there is greater incentive for the violator to quickly come into compliance.

Ms. Palmer said she had two questions. She said regarding the every-ten-day increase in fees, for some violations, it is hard to completely correct them in ten days. She asked how they will deal with this. She said for example, one must find a place to put their junk cars, or a building needs to come down that was put up, and this cannot be done in ten days.

Mr. Kamptner replied that part of this is the way that the Compliance Team works. He said by the time they reach the point where people are being cited for violations where penalties will be accumulating, in almost all cases, they have been working with the owner or occupant to come into compliance, and a notice of violation has been sent with a 30-day appeal period. He said the violator is on notice.

Mr. Kamptner said from a practical standpoint, with the current staffing levels, there is simply not enough staff for the particularly more remote parts of the County for a Code Compliance Officer to visit a site every day for a number of days in a row. He said each case would be handled differently, and certainly ones that may be imposing environmental risks would be dealt with more promptly than some that have been lingering just because they have existed and were just newly discovered or complained about.

Ms. Palmer said that for staffing reasons, then, a more minor matter could actually take longer to accumulate the higher fines than proposed.

Mr. Kamptner replied yes.

Ms. Palmer asked if there was any way the County could collect court costs when they have to take these people to court.

Mr. Kamptner replied that in the proposal legislation, they could. He said he would pull up the current section to see what it provides, adding that it could certainly be a part of the proposed legislation.

Ms. Palmer said when she asks if they can collect court costs, she is asking if there can be a fee for Mr. Kamptner's staff.

Mr. Kamptner replied that those would be attorney's fees. He said his guess was that this would probably make the legislation controversial, but it was something they could look at.

Ms. Palmer said she was not sure if other Board members were interested in this, but it frustrates her when they take people to court for a couple of years and then, they finally say they will pay the fine. She said meanwhile, the County is stuck with Mr. Kamptner's staff and Zoning staff being involved in it for a couple of years.

Ms. Palmer said with respect to the proposal versus every ten days, she likes the idea of every ten days because it pushes people. She said if they do not think they have the staffing to do this, however, she is concerned about that because people are not going to take it seriously if they say, "every ten days" and then, no one comes out to check them in a month and a half, for instance.

Mr. Kamptner said looking at the current enabling authority, it did not look like they collect court costs. He said if they are dealing with residents in Albemarle County or the City, they typically do not have any out of pocket costs anyway. He said it is mainly the staff time that is spent that is the huge expense.

Ms. Palmer said her concern is the staff time. She said the County charges people for Community Development staff time, and she wondered why they could not charge people for County Attorney's staff time.

Ms. McKeel said listening to Ms. Palmer's remarks about taking people to court for two years, there are "frequent flyers" the County has been dealing with for 12-14 years. She said she was not sure exactly how to get at that, but perhaps it is about going a little further than just the fines.

Ms. McKeel said she did not have any further comments to make at that time, and she was comfortable with the proposal at that point.

Ms. Price said she was fine with this, and she appreciated the cost to staff time. She said she did not believe, however, that she was ready to support specifically requesting collection of those costs.

Ms. Mallek said she would offer a different point of view on the ten days. She said this is how it took so many years to bring one business under control, and probably a huge majority of Ms. Lisa Green's time. She said because the County has to give the person ten days, then 30 days to appeal, this goes on and on, and this is how they get to the many years that Ms. McKeel mentioned.

Ms. Mallek said she was very much excited for the per-day violation. She said the person can call and notify Zoning that they have corrected the violation and then, someone can come out and inspect it rather than having to go back every day to check. She said this responsibility could be put on the person in violation so that this can be simpler, straightforward, and easy to explain. She said this way, people do not think there is always a way to get around it.

Ms. Mallek asked Mr. Kamptner if the County has the ability to put a lien on property for uncollected fines like this when they are \$10,000 to \$20,000.

Mr. Kamptner replied there is a model for that in some other legislation, so they could look at this and include it.

Ms. Mallek said they are entering a place where she thinks County enforcement has lost respect, and there are many more people who think they can get away with things if they do it on a Sunday afternoon. She said she hears bulldozers running on Sunday afternoons all the time, and she wonders what is going on over the hill. She expressed that it would take some good examples that the County is going to enforce this and people will have to follow the rules in order to get this under control again.

Ms. LaPisto-Kirtley said she hoped the County was looking into hiring additional staff to supervise this and can go on site, such as Ms. Green's staff. She said to be able to go out 24-7, like Ms. Mallek said, and if someone is doing something on a Sunday, someone should be able to call in for someone to hopefully go out.

Ms. LaPisto-Kirtley said she supported the proposal. She asked Mr. Kamptner if there is a limit or if it can go beyond the \$5,000.

Mr. Kamptner replied that once one reaches \$5,000, this is the limit for civil penalties, and one can either seek injunctive relief or criminal penalties.

Ms. LaPisto-Kirtley said she also liked the idea of placing a lien on a piece of property when there

is not compliance, as well as putting the onus on the property owner where they sign a document, are being fined \$500 per day, and they call the County to let them know when they can come out to visit, or they make contact every two days. She said it should be easy. She added that the County does need more enforcement officers.

Mr. Gallaway said he was supportive of this priority remaining on the list, and the Board could continue to discuss exactly how they want this to be by the time they get to the representatives in the fall.

Mr. Kamptner presented the third of the three priorities that had not been picked up by any local delegates in 2020. He said this priority separates out and makes subject to certain building code requirements. He said this is with regard to the agricultural buildings devoted to public use that are places where events and activities are held, and the intent of this legislation is public safety. He said they would expect there would be statewide opposition, so it may be something where they try to build support with other localities who are perhaps running into issues or similar health, safety, and welfare concerns. He paused for Board discussion.

Ms. Palmer said she believed they needed to continue on this, even though there is not much support. She said as she recalled, she and Ms. Mallek had a discussion about how Delegate Runion was not supportive of this. She said the state did request a report on this a few years ago, which was completed and basically did not say much at all.

Ms. Palmer said she would like to go out to other communities and see if they can get some help from the counties like Loudon, who probably feel as though they could benefit from something like this. She said she thinks it is incredible that they can have breweries and farm wineries open up a barn, and they do not have to take any safety measures if they do not wish to put them in. She said she would like to keep the priority on the list.

Ms. McKeel said she agreed with Ms. Palmer that it is incredible that one can have these types of buildings constructed. She said she did think it would be a good idea if they could work with other localities to see who else may be supportive. She said she is interested in at least seeing what could be done as far as minimum construction standards.

Ms. Price said she concurred with the other Supervisors, adding that all it would take was one massive barn fire before people realize that this is an accident simply waiting to happen. She said she fully supports the priority.

Ms. Mallek agreed that they should continue pursuing this. She said Mr. Michael Dellinger of County staff worked with the state building code people for two years to come up with a whole different strategy so that rather than simply installing commercial sprinklers like those from a big box store, they also put in panic bars, exit doors that open out, exit lights, and other things that would be within the realm of reason to concentrate on people's safety – not building protection, as regular fire codes would be, but getting people out.

Ms. Mallek said she was horrified to agree with Ms. Price that it will take a major death, and one county (either Rockingham or Rockbridge) had a very well-publicized old barn turned into a bed and breakfast. She said the only reason that 12 people were not burned up is because a 12-year-old boy next door happened to go to the bathroom, looked out and saw the fire, and got people out. She said the barn was completely flat to the ground by the time the fire department got there.

Ms. Mallek said the Board must work on this. She said there were members of the business community who were involved in working on the middle-ground standards, and she thinks it is worth pushing on. She said she is very disappointed in the way the state study was a total waste.

Ms. LaPisto-Kirtley said she hoped that what happened in Surfside, Florida would wake people up to potential dangers. She said she agrees that if one is making money either on weddings (which involve candles) or from a brewery, vineyard, or tasting room, it should be safe for those people on the inside to be able to get out in case of emergency. She said she supported the priority.

Mr. Gallaway said he had no objections.

Mr. Kamptner said the next item was recurring and included under the assumption that this is a multiyear project. He the Board may know better where the hybrid coalition was on this and if there had been any developments in the past two years, since they last went to the meeting. He said he assumed this item would be an ongoing priority for the Board to seek legislation enabling localities to impose impact fees in lieu of cash proffers.

Ms. Mallek said the very few small concessions that were obtained from the legislature two years ago got into a cycle of making some changes, working on those, and seeing how those would turn out. She said she supposed it was 2019 when that happened. She said she thinks they have had their chance, and so the Board should continue pushing.

Mr. Gallaway asked if there were any objections from the Board and heard none.

Mr. Kamptner said there were five priorities that he had accumulated on a list since December 2020. He said these came up during the Board's meetings and were suggestions by Supervisors. He said he hinted at one of the priorities in the Executive Summary that staff needed to do further work. He

said staff has looked at that item, and it is something that does not require a legislative change but rather, the County working with the state on some regulations related to open space use agreements and modernizing that form agreement.

Mr. Kamptner said he could bring back more information, but in the interest of time, he would focus on the five priorities that were listed on the screen for the remainder of the presentation. He said the first was to expand the photo speed monitoring devices to allow them to be on the County's rural roads, outside of highway work zones and school crossing zones.

Mr. Kamptner said this is new legislation and as the Board would recall, in 2020, the recommendation was not to pursue expanding enabling authority until the law had some time to be implemented. He said currently, the police department is looking at the possibility of a device being installed on Hydraulic Road at the school crossing zone in front of Albemarle High School, as this is an area that has been identified as a high frequency of speeding.

Mr. Kamptner said the proposed legislation that has been raised by Ms. LaPisto-Kirtley and others has been to have the devices located on rural roads, where speeding has been identified as a problem. He said she also noted that one issue with the rural roads is that it is difficult or even unsafe for speeding vehicles to be pulled over. He paused for Board discussion.

Ms. Palmer said though it would be great if the Board could get this, they had not given it much time. She asked Mr. Kamptner if he was suggesting the Board give it a couple of years prior to doing this.

Mr. Kamptner replied not yet. He said Mr. David Blount was on vacation that week and before the Board comes back, staff would talk to him and get his sense on the matter. He said more immediately, he was looking for input from the Board as to whether or not they want to have this item move forward.

Ms. Palmer said she wanted it to move forward.

Ms. McKeel said she liked the move forward, especially when looking at the fact that the fatality rate in Albemarle County, for the County's population, is one of the highest, and she thinks the rural roads are a contributor to that. She said she believes that based on the data per capita, Albemarle County is a dangerous place to drive. She said she was in favor of the priority.

Ms. Price said she supported the priority.

Ms. Mallek said she supported it as well but would also suggest that it not be restricted to rural roads. She said there are lots of areas in the Growth Area that have abusive speeding and great danger provided. She said to have camera boxes in lots of places where they can be moved around so that no one knows where they are, she thinks this would help to get more compliance with the terrible driving behavior in the County.

Ms. LaPisto-Kirtley said she understood Ms. Mallek's point, but the reason why the priority is for the rural roads is because it is not enforceable by the police department. She said once they stop a car or truck that should not be on the road there, it causes miles-long backups because these are two-lane roads. She said on the larger roads with plenty of room, and sometimes four lanes, police enforcement is probably the best thing there, and it is something they can ask for. She said this priority was more specific because otherwise, it will be as if they are asking for everything.

Ms. LaPisto-Kirtley said this is why the specific point was more about rural roads, where it is not feasible to have police enforcement and would cost police time and money that could be better used elsewhere and not just sitting on a rural road. She added that she thinks the definition of "rural road" is not just a tiny country lane, but it could be expanded. She said a road such as Route 250 can have a police presence there. She concluded by stating she believed she could gain support in a bipartisan matter for this law.

Mr. Gallaway expressed his support.

Mr. Kamptner said the next priority was to request the state to comprehensively upgrade its technology to better serve the Commonwealth. He said the two projects on the screen preceded this, and The Daily Progress that morning said the state is moving ahead in their draft report to make some recommendations to the Virginia Employment Commission (VEC). He said another surprising part of that morning's article was that the VEC's system is 36 years old. He said if the Board recalled what technology was like in 1985, it is amazing that this is going on.

Mr. Kamptner said given that the two projects are going on, either via legislation or support for a budget, a resolution requesting or supporting the studies and facilitating the recommended changes seems to be the most efficient approach for the County, as a local government, to take.

Ms. Palmer said she would like to have this go forward. She said she had a quick story from two weeks earlier with the Virginia tax system. She said when she went to pay her estimated taxes, she was told online that 2020 taxes were not recorded, and her last estimated payment was not recorded. She said when she had to spend about half an hour to get through their system to write a message for them and get to them all the documentation that showed that they had her money, she finally got a message five days later saying that most of the online tax payments in Virginia were not registered on the site, but

they assured her that they had gotten the money. She stressed that most of the payments were not registered on the site, and she thought it was incredible that they need to update their systems.

Ms. McKeel said she believed she suggested this priority to Mr. Kamptner back when they were having all the trouble with the pandemic and the Health Department's technology systems infrastructure. She said while she knew there had been decades of not addressing upgrades, this was like peeling back the layers on the onions to see just how terrible the technology and systems all over Virginia are. She said there have been decades – 20 or 30 years, sometimes more – of not updating systems, which gets to critical infrastructure.

Ms. McKeel said she is all for the priority, and she thinks they need to be aggressive about it. She said one of the representatives, Delegate Sally Hudson, has been talking about this as well and is very concerned about what she has seen at the state level. She said the Board needs to pursue this, as it is critical for their work and for residents not only locally, but in the state. She said they cannot allow this type of aging infrastructure to continue to exist.

Ms. Price pointed out that in 1985, people were still deciding whether to go with a word processing system or a computer. She said [R-base or D-base] is what they were using, and she cannot imagine using technology that is that old. She agreed the Board should pursue the priority.

Ms. Mallek said she definitely supports the priority. She said a future governor is going to need to clean house because for ten years, the workforce system has not been able to get a dashboard to work despite spending millions of dollars. She said the creation of the ITA, back in Mark Warner's administration, is a fiasco. She said as someone who used to have a state email address for work at the museum, they all gave up on it within a year because it never worked. She said she hopes it will be better next time around and that it cannot get much worse.

Ms. LaPisto-Kirtley said her support would be a hard "yes."

Mr. Gallaway said he had no objection.

Mr. Kamptner said the next item was a suggestion by Ms. Price, back in January, looking at supporting affordable housing. He said the idea was to add an additional recordation tax that would be devoted to affordable housing. He said what he provided the Board on the screen was a brief summary of the existing recordation tax, what the amount is, and how the County's local recordation tax generates. He said currently, the local recordation tax revenue generated goes to the General Fund and is not identified for a specific purpose.

Ms. Palmer asked if this would be an additional taxing authority. She said the Board could just decide they are going to use a portion of the tax they collect for affordable housing, and she asked why they would go with this request.

Mr. Kamptner replied that part of it is because in certain years, the Board can decide that they do not want to earmark those funds for that particular purpose. He said this was likely the main reason. He added that it is not a dedicated funding source.

Ms. Palmer said she would want to know more about how much they would get from a minimal amount. She said much like they had the Office of Equity and Inclusion look at the cigarette tax, she would want to also know how this would impact the affordability of a house. She said she believed they were talking about a relatively small amount. She said these were some of her concerns about this, and if the Board would like to say they want to put a certain amount of money they currently collect into the fund, this [inaudible] to suggest.

Ms. McKeel said she had some questions about this, but she wanted to hear Ms. Price's thoughts on this first. She said she was not convinced about the priority and would not mind hearing from Ms. Price.

Ms. Price said she has raised this matter several times, and she would explain the reasons behind that. She said if the Board designates a specific source of funding to go towards an affordable housing trust fund, it is not subject to the vagaries of the crisis of the day that an annual appropriation would face. She said while she could not speak as to what the amount of the fee associated with a property transfer should be, she would definitely want to hear from the Budget and Finance Office or from other financial or economic experts in terms of what would be reasonable and affordable.

Ms. Price said what this would allow or provide is a designated source of reliable funding on an annual basis to go into the affordable housing trust fund. She said while the Board may be able to do this under existing law, her thought is that if it was a specifically authorized and designated source of funding, it would less likely be subject to an annual change by the Board. She said it would not simply go into the General Fund, necessarily, where it can become comingled and lost as a source of funding for affordable housing, but it would be the designated amount that goes in.

Ms. Price said the amount would vary slightly every year, based upon property values and the number of transfers, but it would be a regularly available and designated source of funding towards affordable housing. She said she feels this is a substantially more reliable source, not subject to the vagaries of what this Board or any other future Board may face based upon what is happening otherwise with the budget process. She said she supports this and that it is a great way for the Board to fund

affordable housing regularly and reliably.

Ms. McKeel said Ms. Price's explanation was helpful. She said she was interested in this priority, and she would perhaps want to have more information. She said she did not want to make the County's affordable housing less affordable, but having said this, she was not convinced that this request would necessarily do that. She said this is where she needed more information, and she did not know it was possible as she knew staff had a lot to do. She said she agrees with Ms. Price that a fund that is there, with it varying slightly year to year being fine, is something that the Board can say they are putting funding towards affordable housing, recognizing that it will not take care of everything but that it is something.

Ms. Price said she had one thing to add. She said one thing that stuck out in her mind was the lottery. She said when the lottery was first being proposed, the idea was that all the money would go to education. She said what ended up happening is that the General Assembly would look at the money that was coming in from the lottery, and they would then reduce what their General Funds were going to towards education. She said it was robbing Peter to pay Paul, or it was a bait and switch.

Ms. Price said the Board wants to support affordable housing, and they want to do it in a number of ways. She said she sees this request as a simple, straightforward way for the County to be able to commit to funding an affordable housing trust fund that is much less subject to the other vagaries that the Board may face.

Ms. McKeel said perhaps they could receive more information as she was intrigued with the idea.

Ms. Mallek said she was interested as well and looked forward to receiving more information. She said if \$1 million was collected, this could pay the debt service on \$10 million of County [inaudible].

Ms. LaPisto-Kirtley asked if this would affect all properties that are sold or just those properties whereby one could build affordable housing.

Mr. Kamptner replied that what he and Ms. Price had in mind is a recordation tax that is parallel to what is currently in place. He said it applies to any recorded document.

Ms. LaPisto-Kirtley asked of the current recordation fees or tax, where the \$2.5 million goes.

Mr. Kamptner replied that it goes to the General Fund.

Ms. LaPisto-Kirtley asked if with a \$500,000 parcel, it would be \$1,250, and if a third of that would be about \$400 for a \$500,000 piece of property.

Mr. Kamptner replied yes.

Ms. LaPisto-Kirtley said this \$400, then, would go into an affordable housing trust fund. She said she was supportive, though she did not know the amount as she was thinking about those properties where one cannot build affordable housing whatsoever, such as farms or agricultural land. She said if these were sold, however, she supposed they could be broken up. She said she likes the idea of having some kind of recordation tax that goes into the affordable housing trust fund, and she looked forward to hearing more.

Mr. Gallaway said he was not opposed, but he wanted to make sure he understood exactly why they need to go to the state, and what this does over and beyond. He said he heard it explained, but it was not clicking, so perhaps he needed more help with this. He said he was, however, generally supportive of this.

Ms. Price said from her standpoint, while she was not aware that they actually had this before when she first proposed it, it is designating this fee to go to that fund. She said this is what avoids it somehow getting lost into the General Fund. She said she did not want to advertise to the community that they are going to generate money for an affordable housing trust fund and that money not actually go into the affordable housing trust fund. She said she wants it to be a commitment that the Board, in support of affordable housing, has decided that this money is going to fund an affordable housing trust fund, and they are not going to use the money for something else.

Mr. Gallaway said this was a time where he had memories of sitting in the meeting with the legislators, who say that it is the County's money and if they want to do something with it, they can. He said in terms of trying to get the state to put a final stamp on it that forces a future Board to do it, he did not know where they would go with that. He said if the Board needs an extra tool, this should be pursued, but this was the part he was not clear on. He said if the Board is going to direct money there, he is all in favor of considering this, but he would hate to get lectured by someone who says that the County has the authority and ability to do it while questioning why they are being asked to approve it. He said the legislators certainly have enjoyed doing this during meetings in the past.

Mr. Gallaway asked Mr. Kamptner if more information about this request could come back to the Board so that they better understand it, and perhaps then, they can get the Finance team involved (including Ms. Nelsie Birch) to see if there is a need for it in the legislative packet.

Mr. Kamptner agreed to this. He said the next item was a request from a Supervisor that there is a need for a minimum erosion and sediment control standard for agricultural and forestry operations. He

said the first bullet on the screen was the general rule.

Mr. Kamptner said the way the Water Protection Ordinance and the way the state erosion and sediment control laws operate is that E&S regulations are triggered by land-disturbing activity, and most agricultural and forestal activities are excluded. He said harvesting forest crops is excluded, provided that they comply with state law in replanting or conversion. He said there are essentially best management practices established by the Department of Forestry, and this was an amendment to the WPO just a couple of months prior.

Mr. Kamptner said there is already work underway dealing with the water quality in the rural area, and this is Phase 2 of the County's Stream Health Initiative. He said this initiative has a workgroup, and its members do include rural residents, farmers, forestal owners, and conservational professionals, among others. He said they are working on a vision and goals, and he included a couple of their goals on the slide that get to measures that could take the place of a regulatory approach. He said this is more of a voluntary approach as well as education.

Mr. Kamptner said the process was already underway. He said if the Board were to pursue this piece of legislation, it is one that he would suggest the Board consider that there would be a lot of resistance from certain groups including the agricultural and forest communities. He said it is also one where they may want to build a coalition, if it is going to move forward, with other localities that are having difficulties with surface water and ground water quality. He paused for Board discussion.

Mr. Gallaway reminded the Board members to be mindful of the time and that there would be future times to get into details.

Ms. Palmer said she wanted to keep this item on the table, with some further discussion. She said she recognizes what is going on with problems and resistance, but she is very interested in this and can give lots of examples of why the Board should be interested in it.

Ms. McKeel agreed. She said she was interested in keeping the item on the table.

Ms. Price said she was not opposed to keeping it on the table, but she wanted to hear from the agricultural and forestal community on how what the Board proposes may impact them before she can make a decision as to whether she would support it.

Ms. Mallek said she was all in support of this, adding that both agricultural and forestry operations have evolved considerably over the last 20-30 years. She said best management practices are no longer sufficient as put out by the state to deal with the impacts of these new operations, especially in forestry.

Ms. Mallek said Chris Greene Lake is now full of little pelletized pieces of wood that came off a timber operation on Jacobs Run, and it is impacting taxpayers and natural resources. She said people will say they do not want to do it because she has been hearing them say this for 50 years, but they also do not know what to say when she responds with, "It is my moral obligation to not allow anything from my property to damage somebody else downstream." She said she thinks this is a win-win situation. She added they may also have a new General Assembly this year, so even though there may be resistance from the same people, people need to get on board as far as not continually wrecking the water supply.

Ms. LaPisto-Kirtley said she did not have any problem with keeping the item on the table, but she agreed with Ms. Price that she wanted to engage the forestal and agricultural communities in coming up with a solution. She said in terms of stream water, she also worries about natural disasters that people cannot control, but where there is the ability to control it, she thinks there needs to be responsibility to protect the water, which is extremely important to her. She encouraged looking into working with the entities and if they cannot, they can move forward. She said if they can work with them, it would be the best thing to do.

Mr. Gallaway said he had no objection to keeping the item.

Mr. Kamptner said the final item came out of the May 19th news report with the resident in Carrsbrook that had sewer backup and a link to a CenturyLink line that had intruded into a sewer line. He said he did not quite understand it, but the issue was that the utilities were slow in responding. He said he did not have a recommended piece of legislation, as this was a customer service related issue. He said staff could look at this further to figure out if it is a widespread problem, but this may be something that is beyond staff's direct expertise. He opened the matter up for discussion.

Ms. Palmer said she would like to see more information. She said Mr. Kamptner was probably right that it was beyond the Board's ability, but they have learned that there is a real problem with landlines in the community, and there is a great deal of rural area where the lines do not work. She said she supposed this was an FCC matter rather than a state issue. She said she believes there are staff that could find out if there is anything the state can do about it, and more information would be nice.

Ms. McKeel said she would have to think about this item. She said she understands there are many problems with CenturyLink and, to some degree, utilities. She said it is frustrating to her, however, when the General Assembly passes a law because of one anecdotal problem. She said the ramifications go all through the state with unintended consequences. She said this may not happen with this at all, though she was not sure. She said this sounded like a terrible situation for the family, and she agrees, but she could also cite some terrible situations on Commonwealth Drive about sewer pipes as well. She

said she was not sure how much time it would take Mr. Kamptner to investigate.

Mr. Kamptner said he did not even have an idea as to how to legislate this, and this was where he was stuck.

Ms. McKeel said this was her thought as well. She said of all the items they had discussed that day, this was the one that she was not as sure about. She said while she understands the CenturyLink piece, she thinks Ms. Palmer is right that there are problems all over. She said there have been two decades of no infrastructure updates, which is a bigger issue that gets at the CenturyLink piece as well as the VEC and the Health Department. She said it is about infrastructure.

Ms. Price said she did not know that she was prepared to make a legislative initiative out of this. She said she would suspect that there are civil remedies that the property owner may be compelled to pursue, but in the absence of additional information, as far as signifying it as a substantial widespread issue rather than substantial to an individual property owner, she was not prepared to support putting the effort behind this particular issue. She echoed Ms. McKeel's statement that this was not, in any way, to diminish the impact on this property owner.

Ms. Mallek said she had a slightly different view that came to mind when she saw the slide. She said the General Assembly has to authorize the State Corporation Commission (SCC) to regulate companies in certain ways, and they made some significant changes in 2020 for some things in the utility line.

Ms. Mallek said currently, the SCC does not have authority over CenturyLink or over any telephone communication, and neither does the County. She said the County has not chosen to franchise, which would give them control over this. She said she had raised this in 2008 and at the time, Larry Davis said they simply do not do that. She said citizens, however, see Albemarle County on their bill, so they think that the County is supposed to be supervising it. She said therefore, the County gets blamed when things do not work, even though they have no power over it.

Ms. Mallek said she did not know whether the General Assembly could step up and say to the SCC that they need to crack down on companies who get more money out of people and saying they are going to provide better service when the lines that are in place are 50 years old and cannot even provide minimal service. She said it seems as though it is false advertising, at the very least. She said there are lots of ways to get at this that are far outside her wheelhouse, but it is an interesting idea. She said she was not sure it was something the Board has to write the legislation for, but she would like to talk to some of the legislators to find out if they are at all interested in this. She said these issues are happening all over the state and certainly all over the White Hall District.

Ms. LaPisto-Kirtley said this would frankly be the last on her priority list. She said she did feel for the family, but if no one has taken responsibility, that is a different issue, and she is not sure if most of the utility companies such as CenturyLink do not take responsibility when they have done something. She said she did not have those facts with her, and so she was neutral on this item.

Mr. Gallaway said he did not believe that everything has to be solved by the Board legislatively in the packet to bring up the issue to the legislators. He said the Board is not going to solve the U.S. Postal Service's delay, but they can try to suggest things and write to congressmen and senators. He said if they bring this matter up to the legislators by not necessarily suggesting legislation, but by saying these were things that are coming up that are outside the locality's wheelhouse, perhaps the legislators could see how widespread this is throughout their own respective districts.

Mr. Gallaway said it is baffling to him that a utility can say the problem is not theirs and not explore it, or if it is found to be theirs and they cannot take responsibility for it, there has to be some recourse for that. He said taking them to court does not seem to be the most appropriate one that would put such an onus on them to slip by the one that is responsible. He said there could be other topics they put in, and rather than hoping a bill can be put in, they can note things that need to be on the legislators' radars that the state could have some say or sway in and would help solve this problem for their own constituents and not just those in Albemarle County.

Ms. Mallek said the CenturyLinks of the world will be quick to say that they are not utilities and have no obligation to perform as a utility. She said they are privately owned, unregulated communications companies, so this may be a definition that needs to be changed in the SCC as well.

Mr. Gallaway said he did not think this was necessarily an item where staff has to put more effort into figuring out the legislative solution, but it could be one that the Board alerts the legislators about when they meet with them.

Mr. Kamptner thanked the Board for their input.

Agenda Item No. 13. **Presentation:** Transportation Planning Quarterly Report.

Mr. Kevin McDermott, Planning Manager, said the report was provided to the Board in document form, and this presentation would be an overview of what they saw in that report.

Mr. McDermott began with transportation priorities, noting that a few months earlier, he came to

the Board to provide an update on those transportation priorities and status. He said staff continues to work on what was discussed at the meeting, including the 2022 potential Smart Scale projects that they have been discussing with VDOT and the MPO to try to identify those potential projects as early as possible so that they are ready next year when those applications come due.

Mr. McDermott said some of those projects include the District Avenue Roundabout, Hillsdale Drive Extension and Realignment, US-250 Corridor Improvements in Pantops (an additional segment), US-250 West and the US-29 Bypass Interchange at Ivy Road, Belvedere Boulevard and Rio Road Intersection Improvements (which is also being assessed via the Rio Corridor Study), 5th Street Extended Bicycle and Pedestrian Improvements (which were recommendations from the 5th Street Corridor STARS Study that VDOT performed for the County last year), and Crozet Avenue and US-250 West Intersection Improvements.

Mr. McDermott continued reviewing the project list, noting that another project is the US-250/Route 22 and US-250/Milton Drive Intersection Improvements (east of town, on the way to the Village of Rivanna), which have experienced many congestion and safety issues. He said finally, the Rivanna River Bike and Pedestrian Bridge would potentially connect South Pantops to Woolen Mills. He said staff would be coming back to the Board occasionally over the next year to discuss the progress of those projects.

Mr. McDermott said staff also submitted the pre-applications for the Revenue Sharing projects that were discussed in the current year. He said those include the Eastern Avenue South Extension in Crozet, taking Eastern Avenue across Lickinghole Creek to [Corey Farms Road] and Route 250; and the Avon Street Bicycle and Pedestrian Improvements, which would entail a shared use path on Avon Street Extended, between Mill Creek Drive and Peregrine Lane, with a pedestrian crossing there as well.

Mr. McDermott said other priorities that were discussed include the 2020 Smart Scale projects that were approved by the Commonwealth Transportation Board. He said these were the projects that the County expected would be approved, as they had scored very well in the previous round. He indicated to the list on the screen, noting that the Board had discussed those projects multiple times in the past. He said they have funded those anywhere from FY 2024 out through FY 2027. He said staff would expect some of those projects to start the preliminary engineering around 2024, and they will continue construction over the next few years. He added that these will all be administered by VDOT, and while staff will stay involved and keep the Board updated, staff is not the lead on those.

Mr. McDermott said he had a quick update on the 2019 Revenue Sharing projects. He said regarding the Berkmar Drive Extension to Airport Road, including the roundabout by the North Fork Research Park, all the project agreements have been signed, and discussions have begun with the VDOT team that will be administering that project. He said staff will continue to keep the Board informed on the project's progress.

Mr. McDermott said for the Old Lynchburg Road Bike/Ped Improvements, which were not recommended for funding under the Revenue Sharing program, staff has reached out to a consultant to do this through a locally funded project, as was discussed with the Board about a year ago, and the consultant has provided a scope and cost for the potential sidewalk connection that would take one from Old Lynchburg Road south of the interstate, under the interstate, and connect to the City at Azalea Park. He said scope and cost are still being reviewed by staff, but they hope to be able to move forward with the project soon.

Mr. McDermott said a couple of the major planning projects that staff have been working on include the Route 29 North Corridor Study. He said this is a project the County is working on in partnership with the Thomas Jefferson Planning District Commission and VDOT, and it evaluates the entire 29 Corridor from Airport Road all the way up to Deerfield Drive in Greene County. He said Greene County is therefore also a stakeholder in the project, and it will be good to look across the border and coordinate on this, as many of the issues seen with transportation on Route 29 result from things happening in Greene, with many people coming down from that area.

Mr. McDermott said the project is currently underway, and there was a kickoff meeting and a stakeholder meeting. He said there is data being collected, a consultant leading this study under the TJPDC, and an expected completion of early 2022. He added that they may even be able to Smart Scale applications out of this if there are projects identified that the County wants to move forward with. He said staff will be coming back to the Board with updates on this on a regular basis.

Mr. McDermott said the Rio Road Corridor Study is underway, and the study limits have been extended to the City line. He said there were some additional public meetings to discuss the project, and staff continues to do more public outreach. He said there was a meeting where the consultant provided some preliminary concepts that staff is reviewing for some of the potential improvements that they may be recommending. He said right now, they are just getting a first look at the output.

Mr. McDermott said the Crozet Transportation Study, which was done in concert with the Crozet Master Plan Update and partially funded by the Barnes Lumber Redevelopment project, is now complete. He said staff has the full study available, and it will become part of the master plan as an attachment. He said the recommendations from the study have been made in the Implementation chapter of the Crozet Master Plan, so the Board will see how the two projects tie together.

Mr. McDermott said regarding the Broadway Blueprint, the Board had heard staff's final

recommendations on this back in May. He said staff will continue working with the stakeholders on those projects to try to get some implementation projects going out of those recommendations.

Mr. McDermott said there was a lot going on in transit as well, and they were working with the Regional Transit Partnership on the Regional Transit Vision Plan, which was a consultant-led study that was funded by the Department of Rail and Public Transit. He said they were trying to collaboratively develop a clear vision for the future of transit in the region, being done through the Regional Transit Partnership, which is acting as the lead on that process. He said they expect to complete this around June of 2022, about a year away, as it is a long process.

Mr. McDermott said regarding Transit Stop Improvements, staff has been working with CAT and other stakeholders to identify improvements to select transit stops around the County. He said part of this was what Ms. McKeel has been working on with the Sense of Place project as a pilot project to put art at a couple of stops in the Stonefield development. He said they are also adding some facilities such as a shelter and bench, which sets up a process where after they figure out how to work with CAT and get the funding and approvals for those stops, they will be able to roll it out to other places throughout the County.

Mr. McDermott said they are also working on the Albemarle County Transit Expansion Study, which is another study that was funded by the Department of Rail and Public Transit and is being led through the TJPDC. He said this is a feasibility and implementation plan to expand transit service in the Pantops area, going out to Thomas Jefferson's Monticello and along Route 29 North. He said there have been some initial stakeholder and technical team meetings on those, and this should be completed around January of 2022, which will allow the recommendations to be submitted for funding to DRPT as potential transit grants that year.

Mr. McDermott said there are bike and pedestrian projects going on that have been previously funded and are now in the Facilities and Environmental Services workload to get those to construction. He said those include the Greer/Jouett Bike/Ped Improvements and the Mountainview Elementary School Pedestrian Improvements. He said these were two Transportation Alternatives grant projects that were funded a year and a half ago. He said the Ivy Road Bicycle and Pedestrian Improvements project goes from the City line out towards the bypass. He said a section of this would get sidewalks and some bicycle improvements.

Mr. McDermott said the Avon Street Pedestrian Improvements entails a sidewalk along Avon throughout a number of different sections that start up by Swan Lake Drive and go all the way down to Avon Park, filling in some various segments of sidewalk that have been missing for a while.

Mr. McDermott said the Rio Road Pedestrian Improvements is another sidewalk project out near the John Warner Parkway intersection, heading back in towards the city from that intersection along Rio Road.

Mr. McDermott said finally, there are the 250-West Pedestrian Improvements out on Route 250 by the Harris Teeter, which will install a sidewalk and pedestrian crossing. He reiterated that this and the other projects mentioned on this list are being led by FES, and Mr. Blake Abplanalp was on the line if the Board had any specific questions about those projects moving forward.

Mr. McDermott said regarding other things Transportation staff were working on, staff reviews all significant development projects, including rezonings and special use permits, for transportation issues to try to ensure they are addressing transportation needs. He said the list on the screen were some of the major projects staff had been looking at over the past quarter.

Mr. McDermott said in addition, staff takes the reports of transportation issues they receive through phone calls and emails from citizens around the County, as well as from other stakeholders, to try to address things like speeding and parking concerns, lack of sidewalk infrastructure, etc. He said the projects on the screen were some of the major projects staff had been working on over the past quarter.

Mr. McDermott said this concluded his quick run-through of all the information that was included in the Board's report. He offered to answer any questions from the Board.

Ms. Palmer asked Mr. McDermott what he perceived the timeline would be for getting the sidewalk installed under Old Lynchburg Road at I-64.

Mr. McDermott asked Mr. Abplanalp if he could talk about the timeline once approval is gained.

Mr. Blake Abplanalp (Facilities, Planning, and Construction) replied that typically, this project would not have to go through the same approvals and requirements as they would with a VDOT project. He said typically, a project of this size has between nine and 12 months of design and then, the construction follows afterward, the time of year and bidding strategies would impact that. He said they would look at about six to 12 months of construction. He said he would have to familiarize himself better with the scope of the project, but from a dollar value standpoint, this is typically the rule. He said in fact, it would be six to nine months of construction.

Ms. Palmer said what they currently have is a scope that staff is evaluating and then, they have to do design and construction.

Mr. Abplanalp said this was correct.

Ms. Palmer said she would like additional information on this sent to the Board once staff approves the scope. She said there is a very dangerous situation that has been discussed for years now, with lots of affordable housing rentals just on the County side of the I-64 underpass, with Azalea Park on the other side. She said there are people saying they have to drive those few feet because it is so dangerous, they are afraid to walk their children through there. She said one will see people there with baby carriages and the like going through that underpass.

Ms. McKeel said in the interest of time, she would ask one quick question that she was not sure was for Mr. McDermott or for Ms. Carrie Shephard. She said she did not want to lose track of how Old Ivy Bridge was going to be widened and would provide bike and pedestrian access, but she did not see it anywhere on the lists.

Mr. McDermott replied that because this is a VDOT-administered maintenance project, he does not usually keep those on his lists, but he was sure Ms. Shephard could address the timeline for this.

Ms. McKeel noted that Ms. Shephard could address this in her presentation.

Ms. Price thanked staff for the information, noting it was helpful for the community to see the work they do.

Ms. Mallek said it was great to see the progress.

Ms. LaPisto-Kirtley said she would have a question for Ms. Shephard when she speaks.

Mr. Gallaway asked Mr. McDermott what the timeline was on the last segment of the Berkmar to Airport Road Extension.

Mr. McDermott replied that he did not have a specific timeframe on this. He said it is a VDOT-administered project, so they will be working on it. He said they are at 30% design on that because it was done ahead of time, and VDOT is ready to start on the other 30%. He said he believed they had estimated that the entire project from this point on was about a three- to four-year timeline to complete construction. He said he had not, however, seen a specific construction schedule, but he was happy to share it once he has it.

Agenda Item No. 14. **Presentation:** Virginia Department of Transportation (VDOT) Quarterly Report.

Ms. Carrie Shephard, Charlottesville Residency Administrator, began her report with preliminary engineering projects. She said the 250 Roundabout's next milestone is PAC, and VDOT expects the next ad date to be next summer.

Ms. Shephard said the next list of projects were bridge projects and noted that she would be going through these in more detail than normal. She said first, the Route 240/Crozet Avenue Bridge Rehabilitation Over Lickinghole Creek showed an ad date of September 2021, but this will actually be more like the construction date. She said it has already been put out to ad, and the construction date is October 2021, scheduled to go through June 2022. She said there will be a single lane open to accommodate traffic in both directions with a temporary signal in place.

Ms. Shephard said the Route 702/Fontaine Avenue Bridge Replacement over Morey Creek is a structurally deficient structure, and it is under SGR funding. She said it is also phased to keep one lane open with a temporary signal. She said the ad date shows March 2022, and this is still accurate. She said the duration of the project is one year.

Ms. Shephard said next was the Route 708 Red Hill Road Bridge Replacement over N.F. Hardware. She said they were showing an ad date of July 2023, but they are looking to accelerate that to March of 2022. She said if they can get everything lined up appropriately, construction would start in July of 2022 and last 14 months. She said this is also a structurally deficient bridge, so it is under SGR funding. She said there will not be any bike or pedestrian improvements made. She said they will keep one lane open, and no additional width will be added. She said there will be no future bike or pedestrian use because of the minimal traffic and expected future traffic.

Ms. Shephard said next was the Route 667 Catterton Road Bridge Replacement over Piney Creek. She said this showed an ad date of January 2023, but VDOT may be able to accelerate this. She said she would have more information about this at a later date, and there is some wiggle room a couple of years out. She said it does involve a road closure and a detour. She said the duration is four to six weeks, and VDOT has tried to shorten this as much as they possibly could to minimize the impacts to the residents there. She said this will not have any bike or pedestrian accommodations as it is simply to address the bridge condition.

Ms. Shephard said that for the connector road from Berkmar Drive to Airport Road that was just mentioned, VDOT shows its next milestone as authorizing preliminary engineering, with an expected ad date of Fall 2023. She said as she receives more information, she will share it with the Board.

Ms. Shephard said the next project was Route 601/Old Ivy Road over Route 29, which is what Ms. McKeel had asked about. She said there is currently an ad date of January 2024, but they may have the potential to accelerate that to next year. She said they are still including the accommodation for additional shoulder width for bike and ped, which is still part of the design. She said VDOT may be able to accelerate this to start as early as 2022.

Ms. Shephard said finally, Route 641/Frays Mill Road Bridge Replacement's next milestone is field inspection, which is still accurate. She said they showed an ad date of October 2025. She said this project will include a road closure and a detour, and the duration is expected to be nine to 12 months. She said VDOT hopes to accelerate that ad date to the end of 2022, which would be earlier than what she showed in the report (which was worst-case scenario).

Ms. Shephard said the slide showed the Hydraulic/Hillsdale project, which Mr. McDermott had mentioned. She noted her slide was somewhat incorrect, as Commonwealth Transportation Board (CTB) funding was approved in June, so this is ongoing. She said as far as the design build projects, the DDI at Exit 124 is under construction. She said the Route 151/250 Roundabout is getting ready to start construction, and she expects this to happen in September. She said the Route 20/649 Roundabout is expected to go under construction in the next couple of weeks. She said the final three projects on the list were essentially complete, with only a few punch list items to work through.

Ms. Shephard said as far as rural rustic roads, Coles Rolling Road Phase 1 is complete, and VDOT is currently working on Phase 2. She said they expect to have stone laid next week, with paving to follow shortly thereafter. She said for Burnt Mill Road, they will be starting the scoping of the environmental clearance process now that they will receive the signed resolution from the Board. She said Wesley Chapel and Reservoir Roads are currently ready for construction.

Ms. Shephard said as far as construction activities, there are incidental concrete repairs in progress that VDOT is working through. She said this includes a location on Rio Road, which she believed VDOT took care of that week or was in the process of taking care of it. She said they are also working on some sidewalk replacement in Four Seasons, and still in the works are locations at Arden Drive, Ashwood Drive, and Turnberry Circle.

Ms. Shephard said as far as bridge projects go, Route 640/Gilbert Station Road is currently closed, with the work having begun on June 28 to repair the bridge there, which only had a three-ton weight limit. She said VDOT anticipates this to be complete in early October.

Ms. Shephard said Route 689/Burchs Creek Road is also another bridge replacement, and VDOT expects state forces work to begin in mid-October, with a duration of four to six weeks. She said also on this bridge, no designated bike lanes or pedestrian path will exist due to the scarcity of population to travel, both existing and in the future. She said currently, the bridge is 25 feet wide, and a slight increase to the width is being made to 29 feet, 6 inches. She said there will be a signed detour in place as the road will be closed during that four- to six-week period.

Ms. Shephard said VDOT has been busy in terms of traffic engineering. She said Kloeckner Road was complete, and VDOT decided to have the 50-mph car/45-mph truck speed limit be implemented, pending signage installation.

Ms. Shephard said the sign study for Reas Ford Road and 1530 Audobon Drive is complete and installed. She said they relocated the stop sign, installed a stop bar, and added a "Stop Ahead" sign.

Ms. Shephard said I-64 Rest Areas and No Parking Signs is complete, pending sign installation. She said the pedestrian study for Hydraulic/Lambs/Whitewood Road Intersection is complete, and VDOT has installed high-visibility pedestrian warning signs and modified the flashing yellow signal phase.

Ms. Shephard said currently under review is the Warren Ferry Road Speed Study, Louisa Road Speed and Crash Review, Milton Road Crash Review, Langhorne Road and James River Road Intersection Review, Mountain Vista Road Speed Study, Scottsville/Route 20 (just north of Scottsville) Speed Study, Ivy Farm Drive/Wingfield Road Speed Study, and Crozet Avenue/Buck Road Intersection Safety Review.

Ms. Shephard said as far as land use projects, not much had changed since the last report. She said the Brookhill development is still in progress. She said final inspection was performed on Lewis & Clark and is currently working through the acceptance process through the state system. She said North Pointe has not changed since the last meeting. She said Rivanna Village Phase 2 was awaiting plan approval.

Ms. Shephard concluded her presentation and offered to answer questions from the Board.

Ms. Palmer asked Ms. Shephard when she expected Reservoir Road rural rustic road paving to begin.

Ms. Shephard replied that it should begin relatively soon, though she did not have a specific date. She said she knew they were trying to make sure that they communicated with the residents there, but she did not think it would be much longer. She said she could let the Board know when they get started.

Ms. Palmer said this would be great, adding that she assumed that in the next couple of months is when Ms. Shepherd expected it to get started. She asked if this was correct.

Ms. Shepherd replied that she expected it much sooner than that. She said she believed they were ready.

Ms. Palmer asked what the Langhorne Road/James River Road intersection was being reviewed for.

Ms. Shepherd replied that this was actually generated by herself. She said she was driving through there and was nearly hit because there is only one stop sign but three directions coming at the same time, so she put this in. She said VDOT is looking into putting yield signs on James River Road to warn drivers of the traffic coming through that is not stopping.

Ms. McKeel said Ms. Shepherd and VDOT have been very busy and that she appreciated all the work. She said she would take her questions offline in an effort to keep the meeting moving.

Ms. Price said she appreciated the responsiveness from County staff and VDOT to all the questions she has sent them over the past quarter and how quickly they are able to get back to her with good answers.

Ms. Mallek thanked Ms. Shepherd for her suggestion about the school zone cameras and tickets. She said she is very excited about this.

Ms. Mallek asked concerning the construction on Route 240/Crozet Avenue over Lickinghole Creek if Ms. Shepherd believed they would have construction there throughout the entire school year. She said she would ask Ms. Shepherd to work with the school department to figure out ways for the buses to be rerouted, as this will be a nightmare with only one lane.

Ms. Mallek said her next question was about Catterton Road and Frays Mill Road bridge replacements. She asked where the detours will be, as the other end of Catterton Road is private property, and it is closed with a gate. She said she did not know where people are supposed to go if they cannot go east or south over the creek. She said she tried to drive there the other day, and the signage indicated the road was closed. She said Frays Mill needs another carefully designed detour to get people around that, as it will be miles in each direction.

Ms. Mallek said she was surprised to see that Hillsdale South had been approved by the CTB, as at the last MPO meeting, they were just discussing whether there was support to do an application going forward.

Ms. Mallek said the report mentioned compromised sidewalks by tree roots. She asked if there is a way for VDOT to have stronger or clearer rules that say that if there is 4 feet of space between the sidewalk and the road, they should not put in an oak tree as it will grow to be huge. She said they need to put in appropriately sized trees for the appropriate spot. She said the reason she is aware of this is because there are about 50 places in Old Trail where the trees were planted far too large and close together. She said they are impacting the foundations, but they are also ruining the sidewalks.

Ms. Mallek said since she has not made any progress in three years working at the local level, perhaps VDOT could come up with a rule that says one has to use appropriately sized trees. She said she loves trees, but they will only get cut down and then will not do anyone any good.

Ms. Mallek asked if it would be possible to install yellow flashing lights on northbound and southbound Route 29 entering into Hollymead Town Center.

Ms. LaPisto-Kirtley stated that Free Bridge Lane is a short stretch of road between 250 and Elk Drive at Darden Towe, and people use it as a cut-through and speed—yet it's right by the river, so there are a lot of people jogging, walking, and crossing from the nearby development. She said that she had spoken with Mr. McDermott about an incremental approach to traffic-calming measures such as speed bumps, one-way direction, and then closing it. Ms. LaPisto-Kirtley stated that the Pantops Master Plan says to close the road and make it part of the Rivanna River Trail system.

She commented that it was a wonderful area to do that, and Mr. McDermott suggested putting a gate at each end of the road where it doesn't impede any business or house. Ms. LaPisto-Kirtley also said that she is asking for the Board's approval to ask Ms. Shepherd to do a discontinuance of Free Bridge Lane, which turns it over to Albemarle County. She stated that they can then put up the gates and that area can become part of the river trail system, with future use for art festivals and as part of the walking trail, linking to the nearby pocket park nearby.

Ms. LaPisto-Kirtley asked Mr. McDermott for comments.

Mr. McDermott stated that he had spoken with her about this before, and it is a recommendation from the Pantops Master Plan. He said that Ms. Shepherd had indicated to him that this seemed like a real possibility—with a discontinuance and possibly a trial program with a temporary closure while they assess what to do in the long term. He said that his recommendation is to do an evaluation, even if it's small, and what potential impacts and costs there would be to install bollards or similar. He noted that they would need to identify a small amount of funding to do a study to ensure they are proceeding as

intended, then move forward from there.

Mr. McDermott noted that parks and rec has also indicated that they support this connection to Darden Towe Park and the greenway, and if the Board is supportive, the County can talk to a consultant and determine what kind of narrow scope they could put around a study. He said that staff would then bring it back to the Board for funding approval, as he did not believe that CDD had the funds available—but staff could talk with the finance and budget office and see what they could come up with.

Ms. Palmer commented that she did not know if they had the staff time for this, although she was fine with the concept. She stated that she thinks it's a great idea, and she has no opposition to the plan, but she is concerned about what would be required and what would be shelved for this.

Ms. McKeel agreed.

Ms. Price also agreed.

Ms. Mallek said that she didn't understand what the study would be for and wondered if they could just issue an RFP for the two gates to be hung up, as they put two gates up at Sugar Hollow in a weekend. She stated that she was confused as to the suggested approach, although she understood that they needed to meet requirements.

Mr. McDermott stated that he didn't expect anything significant but wanted to be sure they were covering all their bases. He said that there would be future operational impacts that needed to be considered, as the County would be reassuming maintenance of that area that would be used. He added that he just wanted to make sure they considered all possibilities, but he did not expect this to be a significant expenditure.

Mr. Walker stated that he had been in communication with Mr. McDermott, Ms. Shephard, and Ms. LaPisto-Kirtley—which is how and why this ended up in front of the full Board. He said that there needed to be an understanding that this would take some staff effort, and he didn't want to impact other commitments. He stated that there were several aspects to this project, including a legislative process, and he assumed that this would ultimately require the Board to request that the Commonwealth Transportation Board (CTB) to discontinue the road.

Mr. Walker noted that there was a formal role for the Board to play at some point but also an awareness and understanding that if it were discontinued and it became County responsibility, they would want to know what that entailed in the short run for gates, bollards, etc., as well as for maintenance. He said that Mr. McDermott had characterized this as very limited but still may impact other work—and that could change as they got into it. He said that what seems to be reasonable is to have staff come back to the Board with a fuller description of the process steps, including a cost estimate and funding source, so they could put the Board in the best position for considering support or not.

Ms. LaPisto-Kirtley reiterated that it was part of the Pantops Master Plan to close this anyway and they would want gates, not bollards, so parks and rec can go through them to access the pocket park for service. She said that she sees it as a win-win situation, but there is no urgent timeline, and she didn't want to pull staff away from other priorities.

Mr. Gallaway said that they would put it on the list of items for further exploration, just in terms of cost and time impacts.

Mr. Walker confirmed that staff would bring it back the Board when it was ready for consideration to move forward.

Ms. Mallek said that it would be a great signal of support for the Pantops community to get something done that's been on their master plan since 2010 or 2012.

Ms. LaPisto-Kirtley added that it would be a big boon to the arts community to be able to hold a festival along the river.

Mr. Gallaway said they could discuss that when it comes back, and in the meantime, he would follow up with Ms. Shephard.

Agenda Item No. 15. Closed Meeting.

At 5:24 p.m., Ms. LaPisto-Kirtley **moved** that the Board go into Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia:

- Under Subsection (1), to discuss and consider:
 1. The appointment of a Director of Social Services; and
 2. An appointment to a County advisory committee; and
 3. The annual performance of the County Attorney and the Clerk; and
- Under Subsection (7), to consult with legal counsel and briefings by staff members pertaining to actual litigation regarding the interpretation of a proffer that had been accepted in conjunction with a rezoning.

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

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

Agenda Item No. 16. Certify Closed Meeting.

At 6:04 p.m., Ms. LaPisto-Kirtley **moved** that the Board of Supervisors certify by a recorded vote that, to the best of each Supervisor's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the closed meeting, were heard, discussed, or considered in the closed meeting.

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

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

Ms. Price **moved** to approve the addendum to the County Attorney's contract. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

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

**FOURTH ADDENDUM TO THE COUNTY ATTORNEY EMPLOYMENT
AGREEMENT**

This Fourth Addendum to the County Attorney Employment Agreement, is entered into by and between the **ALBEMARLE COUNTY BOARD OF SUPERVISORS** (the “Employer”) and **GUSTAV GREGORY KAMPTNER** (the “Employee”).

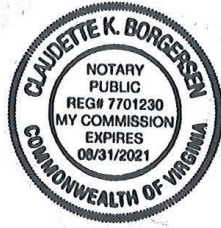
The parties agree to the following amendment to the County Attorney Employment Agreement entered into by and between the Employer and the Employee on April 13, 2016 (the “Agreement”), as thereafter amended by the First Addendum approved by the Board on June 14, 2017, and subsequent addenda that made only annual salary adjustments to the County Attorney Employment Agreement:

1. The first sentence of Section Five (“Compensation”), paragraph (A) (“Salary”), is amended to state: “The Employer shall pay the Employee, and the Employee shall accept from the Employer, an annual salary of \$177,172 effective July 1, 2021, payable in installments as provided for County employees generally.”

2. Except as amended above, the Agreement, as amended by the First Addendum, shall remain in full force and effect and the Employer and Employee hereby ratify and confirm all provisions, terms, and conditions set forth in the Agreement, the First Addendum, and this Addendum.

IN WITNESS THEREOF, the Albemarle County Board of Supervisors has caused this Fourth Addendum to the County Attorney Employment Agreement to be signed and executed in its behalf by its Chair and the Employee has signed and executed this Fourth Addendum, both in duplicate, the day and year first above written.

SIGNATURES ARE ON THE FOLLOWING PAGE



ALBEMARLE COUNTY BOARD OF SUPERVISORS

Ned L. Gallaway
Ned L. Gallaway, Chair
Albemarle County Board of Supervisors

COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF Charlottesville, to wit:

The foregoing Fourth Addendum to the County Attorney Employment Agreement was acknowledged before me this 9th day of July, 2021, by Ned L. Gallaway, Chair.

Claudette K. Borgersen
Notary Public

My Commission expires: 08/31/2021

Registration No. 7701230

Gustav Gregory Kampfner
Gustav Gregory Kampfner, County Attorney

COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF Charlottesville, to wit:

The foregoing Employment Agreement was acknowledged before me this 12th day of July, 2021, by Gustav Gregory Kampfner, County Attorney.

Marsha A. Davis
Notary Public

My Commission expires: 1/31/2022

Registration No. 260220

Approved as to form only:

Andrew H. Herrick
Andrew H. Herrick, Deputy County Attorney



Agenda Item No. 17. Boards and Commissions.

a. Vacancies and Appointments.

Ms. LaPisto-Kirtley **moved** that the Board authorize the Chair to sign the fourth addendum to the County Attorney's employment agreement which amends Section 5(A) of the agreement to increase his salary by 2%, effective July 1, 2021.

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

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

Ms. Price **moved** to appoint Kathleen (Kaki) Dimock as Director of Albemarle County Social Services, stating that Kathleen (Kaki) Dimock is appointed to the position, pursuant to Virginia Code 15.2-512, effective on and after August 16, 2021, with Ms. Dimock serving for an indefinite tenure, pursuant to Virginia Code 15.2-513, with the powers and duties stated in Virginia Code 15.2-527, except for having "charge for parks and playgrounds." Ms. LaPisto-Kirtley noted that Ms. Dimock would act under the supervision of the County Executive.

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

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

Mr. Walker welcomed Ms. Dimock and stated that she was selected through an extensive national search that involved many employees in the department and stakeholders in the community—and they found the best candidate close to home, as Ms. Dimock had already worked for the City and County and in other local human services capacities. Mr. Walker noted that Ms. Dimock resides in the North Garden area, and the County is very fortunate to find someone who understands the community, its people, the needs here, and how to best work with leadership, staff, and the Board to best serve constituents.

Ms. Dimock thanked the Board and expressed her excitement to assume the position and support the social services staff in providing highly responsive, compassionate services. She stated that she grew up in North Garden and now lives in Schuyler near Esmont, and one of her most cherished mementos is a letter received from the Board of Supervisors congratulating her on her success in a regional spelling bee when she was in sixth grade. Ms. Dimock said that she cares very deeply about the County and is very pleased to be part of their team.

Mr. Gallaway thanked Ms. Dimock and asked the Board for comments.

Ms. Palmer thanked Ms. Dimock and commented that she appreciated her story about the spelling bee.

Ms. McKeel said that she was trying to think of a challenging word for Ms. Dimock to spell and welcomed her to the Board.

Ms. Price stated that Ms. Dimock came with an incredibly reputation and resume, and the County does nothing more important than what social services does. She said that they were pleased and happy to have her on board and thankful for the service she would provide to the community.

Ms. Mallek added her appreciation and said that she was glad that Ms. Dimock had returned to the area.

Ms. LaPisto-Kirtley welcomed Ms. Dimock and stated that there is nothing more important than helping children.

Mr. Gallaway welcomed Ms. Dimock and said the Board looked forward to working with her.

RESOLUTION APPOINTING THE DIRECTOR OF SOCIAL SERVICES

BE IT RESOLVED by the Board of Supervisors of the County of Albemarle, Virginia (the “Board”) that, upon the recommendation of the County Executive, Kathleen A. Dimock (“Kaki Dimock”) is hereby appointed the Director of Social Services for the County of Albemarle, Virginia pursuant to Virginia Code § 15.2-512; and

BE IT FURTHER RESOLVED that this appointment shall be effective on and after August 16, 2021; and

BE IT FURTHER RESOLVED that Kaki Dimock will serve as Director of Social Services at the pleasure of the Board and for an indefinite tenure pursuant to Virginia Code § 15.2-513; and

BE IT FURTHER RESOLVED that Kaki Dimock will serve as the head of the County’s Department of Social Services and have the powers and duties stated in Virginia Code § 15.2-527, except for having “charge of parks and playgrounds”; and

BE IT FURTHER RESOLVED that Kaki Dimock will act under the supervision of the County Executive.

Agenda Item No. 18. 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. Gary Grant addressed the Board and stated that at their June 16 meeting, their “all-Democrat Board” unanimously approved setting a public hearing to enact a County ordinance “prohibiting possession, carrying, or transport of firearms, ammunition, or component parts in buildings, public parks, recreation centers, and permitted events areas that are owned or used by the locality or authority or entity controlled by the locality for governmental purposes.”

Mr. Grant stated that he would provide questions in writing to the Clerk since the Board policy is to not reply to verbal remarks from the public at their meetings. He said that after the Board approved their “anti-Second Amendment, firearm-free zones” for their County government-owned “fortress

properties,” he wondered how much in public money would be spent to construct gates and barriers at weapons and ammunition checkpoints at all those properties. He asked how much money they would spend to hire armed, off-duty police officers or security personnel, and how much they would spend to install, operate, and maintain metal detectors to guard these properties. He asked how much they would spend to use gunmetal and gunpowder-sniffing dogs at the properties. Mr. Grant commented that the Board would need to wash the blood off of there “feelgood, politically correct hands” when the first person was killed in or on these properties.

Mr. Scott Elif thanked the Board for their service and wanted to bring a technical matter before them pertaining to traffic studies when new development projects move forward. He said that they give incredibly deference to traffic studies that use a model, but any model is based on assumptions and equations that determine an output that boils down to a single number—and they take those as gospel. He asked what happens if the assumptions are flawed or don’t reflect unique conditions or pertinent local knowledge. Mr. Elif stated that the only thing they know for sure is that the model is not going to be right, as it is only as good as the project assumptions. He said that he is currently working on a project for which the developer has said the model is absolutely right, and the project involves new units feeding into a small, constrained, single stoplight intersection. He said that this didn’t seem right to him, but no one questions anything because it came from a model.

Mr. Elif emphasized to the Board that they shouldn’t accept a single number from a study but should instead use scenarios, alternative sets of assumptions, sensitivity analyses, and so forth. He added that with variables such as a few more units and additional cars in the intersection, it could shift from being fine to being overloaded. He suggested that the Board use different assumptions and scenarios, possibly from neighborhoods based on their local knowledge, then see what the inflection point is and where things deteriorate. Mr. Elif said that the Board could do this easily and mandate it as part of the process, which would allow them to ask questions and make better-informed decisions instead of working from a static, inflexible study.

Ms. Lydia Brunk addressed the Board and congratulated Ms. Dimock for her appointment, as well as a recently elected co-chair of the Housing Justice Committee of the Democratic Socialists of America’s Charlottesville chapter. She stated that she had briefly reviewed the housing plan and was heartened to hear that the County was taking action to help residents stay in their homes. Ms. Brunk emphasized that a plan to prevent evictions was incomplete without allocating funding to a right to counsel program, and it would need to come from ARPA funds outside of other measures they were discussing. She said that outreach, rent relief, and other measures are wonderful—but they can’t address all situations or assist all residents.

Ms. Brunk stated that if they had a difficult situation with a landlord unrelated to rent payment, rent relief would not resolve the situation. She said that many of their committee members have seen landlords attempt to evade laws in place for the protection of tenants. She stated that when members of the community come into court system, this represents their last chance to protect them from the life-altering crises that evictions represent.

Ms. Jane Pudhorodsky addressed the Board, stating that as a member of Church of the Incarnation, one of IMPACT’s 26 congregations, and IMPACT leaders have told stories of their friends, families, coworkers, and community members who cannot afford to live here, or those who struggle to pay rent or can’t afford essentials due to the high cost of housing. She shared a story from an 80-year-old woman who lives in an apartment that is run down and requires her to climb worn-out stairs to get to her apartment. She stated that the Board first these stories in 2017 when IMPACT began to do something for seniors in the community struggling with the lack of affordable housing.

Ms. Pudhorodsky emphasized that this was four years ago, and they’ve had many meetings with the Board over the years and appreciates their time and effort in solving this problem—which has only grown worse in the pandemic. She said that they were told during those meetings that they needed a housing policy in place before assigning funds, and some Board members have made public commitments to find funds for this year’s budget to include \$3 million more for the Affordable Housing Trust Fund, which they approved as part of the housing policy. She stated that staff would now focus on a package for developer incentives for affordable housing, and the Board has an opportunity to make all the work that has gone into the housing policy worthwhile. She said that they would be considering adoption of the budget amendment and appropriations, and she urged them to do what other communities have done and appropriate ARPA funds for the trust fund—which can leverage an average of eight dollars of outside money for every dollar spent by the County, but only if it is adequately funding.

Ms. Pudhorodsky stated that the affordable housing crisis is a systemic problem that needs more than words of support, and she urged the Board to allocate \$3 million from the proposed economic vitality funding, or what’s set aside for future budget cycles, to the Affordable Housing Trust Fund.

Ms. Vikki Bravo addressed the Board and stated that she is also with IMPACT, expressing her appreciation for the work on the part of the Board, staff, Dr. Pethia, and stakeholders have put into the housing policy. Ms. Bravo said that this shows the County is serious about the affordable housing problem, and at the last meeting, the Board was concerned about the lack of a new set of incentives for developers, and the Affordable Housing Trust Fund would be a great incentive for developers—but only if

it is adequately funded. She stated that ARPA provides the opportunity make this a serious initiative by investing \$3 million for the economic vitality pool, and using ARPA funds for next year's budget, so that \$5 million is in the fund each year.

Ms. Bravo said that these trust funds around the county leverage on average eight dollars spent by their municipality, so the bring money into the County, and getting more people into homes promotes economic vitality. She stated that she understands that there are other important community needs that are part of the economic vitality pool, which IMPACT respects, and they also know that this problem is getting more serious by the day. Ms. Bravo emphasized that people have been struggling and suffering for years because of the lack of affordable housing, and IMPACT has heard more than 300 congregants' stories, one of which Ms. Bravo read to the Board from a woman was trying to find a home that wouldn't require her daughter to change schools. She stated that they have pages of these stories, and the Board can make a big difference.

Agenda Item No. 19. From the County Executive: Report on Matters Not Listed on the Agenda.

Mr. Walker indicated that Mr. Richardson was on a call, and Mr. Gallaway stated that this item would resume its original position on the agenda.

Agenda Item No. 20. **Public Hearing: FY 2022 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 Fiscal Year 2022 appropriations itemized below is \$35,967,295.00. 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 2022 Budget Amendment totals \$35,967,295.00. The estimated expenses and revenues included in the proposed amendment are shown below:

PROPOSED FY 2021-22 BUDGET AMENDMENT	
<u>ESTIMATED REVENUES</u>	
Local Revenues	\$ 3,397,440.00
State Revenues	\$ 96,145.00
Federal Revenues	\$ 32,805,821.00
Other Fund Balances	\$ (332,111.00)
TOTAL ESTIMATED REVENUES	<u>\$ 35,967,295.00</u>
<u>ESTIMATED EXPENDITURES</u>	
General Fund	\$ 2,737,787.00
Special Revenue Funds	\$ 19,684,034.00
School Fund	\$ 760,015.00
School Special Revenue Funds	\$ 12,785,459.00
TOTAL ESTIMATED EXPENDITURES	<u>\$ 35,967,295.00</u>

The budget amendment is comprised of a total of three (3) separate appropriations as described in Attachment A.

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

Mr. Andy Bowman addressed the Board and reported that this is a public hearing and action item to amend the FY22 budget, and under Virginia Code, the County is required to hold a public hearing on the budget when the total change is greater than 1%—and that is the case now, with an amendment of approximately \$36 million. He noted that most of these items had been before the Board as recently as June.

Mr. Bowman said that the first item is to appropriate federal revenue from ARPA, and for that total amount, there are two pools of funding. He explained that the first is received from general government, appropriated pursuant to the Board's direction at their June 16 meeting, with funding for broadband; economic vitality, including both human services and business support; and any remaining funding in those categories would be considered further in the FY23 budget process. He noted that unlike the federal CARES funding, there is a longer timeline to plan and execute the funds, based on guidance received from the federal government.

Mr. Bowman stated that in addition to the approximately \$21 million previously discussed with the Board, \$11.5 million was being provided directly to the school division as part of the appropriation. He said that there is \$3.2 million for a revenue update and related expenses, which was directed by the Board on June 2 in a high-level framework. He stated that as they have emerged from the pandemic and gotten additional data from revenues, they felt there was enough of an update to amend FY22, which was an extension of the 366 approach used to manage through the pandemic knowing that this was a time of heightened uncertainty.

Mr. Bowman said that as they got later into the spring and received data from business licenses and taxes, that drove the revenue update. He reported that the funding would be provided to the school division capital budget by the formula allocated, and then they would apply the general government funding to increase the public safety plan for police, fire, rescue, and sheriff employees from a 2% increase up to 5%, then apply funding to resolve or eliminate previously frozen vacant positions.

Mr. Bowman reported that the County was reallocating the Bright Stars program costs among schools and local government, and this is not a change in service delivery and would not impact anything with the program, and it would continue to be a joint partnership between DSS and the school division. He stated that this is an update to have the educational costs and the leadership of the grant be led by the school division, with the human services aspect continuing to be funded by general government.

Mr. Bowman stated that the final item was before the Board on June 16, an additional position for DSS in the housing division and management of the federal Housing Choice Voucher program, and with additional federal revenue and reprioritizing existing local funds they can cover this with what was discussed at that time.

Mr. Bowman noted that Attachment A has details on all appropriations, and after the public hearing, staff recommends that the Board adopt the resolution in Attachment B.

Ms. Palmer said she had no questions and thanked Mr. Bowman for the presentation.

Ms. McKeel said she had no questions and thanked Mr. Bowman for the presentation.

Ms. Price said she had no questions and thanked Mr. Bowman for the presentation.

Ms. Mallek asked Mr. Bowman if the affordable housing programs could be included as part of the human service pool.

Mr. Bowman confirmed this, stating that affordable housing would be part of economic vitality funding. He stated that half of the \$21 million has already been received, and the other half had been received in the spring, and the timeline extends into the future, so they don't need to decide tonight. He emphasized that their goal tonight was to put the administrative and budget authority in place to be able to move forward in the future, and the bulk of the \$21 remains to be determined, so they would make those decisions in the context of the Board's work—through the budget process, strategic planning, and other priorities the Board may have.

Ms. LaPisto-Kirtley said she had no questions and thanked Mr. Bowman for the presentation.

Mr. Gallaway stated that at the last meeting, Ms. Birch had indicated that while ARPA funding could go to affordable housing as a category, it would specifically go into a trust fund.

Mr. Bowman explained that the ARPA guidance stipulates that the funding goes to designated projects and putting it into an undesignated reserve is not allowable, so they need to just ensure they have a plan to execute based on the guidance and timeline.

Mr. Gallaway invited public comment.

Ms. Price reviewed the guidelines for speakers at public hearings.

Mr. Jay James addressed the Board and staff, stating that he is a City resident but is before them on behalf of the Bridge Ministries Substance Abuse and Reentry Program, for which he volunteers and is a board member, and which serves County residents. Mr. James stated that he was grateful for the Board and the service and the decisions they have to make. He said that for an organization like Bridge, which is a 50-bed in-patient facility for men dealing with substance abuse, lack of vocational training, and other services, CARES and ARPA funding is an opportunity that could help them for the next few years. Mr. James stated that in the past when they have been denied funding, Bridge took it as a cue to work harder and as such, has sent out information to the Board about what they provide to the community. He thanked them for their consideration and said he hoped they would partner with his organization.

Ms. Mallek asked if all of the positions mentioned in Mr. Bowman's email would be unfrozen, or whether there is a prioritization process they have to work on.

Mr. Bowman responded that on June 2, there were 18 positions remaining and staff was trying to finalize what those positions were, with exact dollar amounts, etc. He said that as they worked through that, they determined that all positions could be filled.

Ms. Mallek stated that this was exciting news, and they would be able to get the stream health

and erosion control efforts to move forward.

Ms. McKeel **moved** to approve the attached resolution (Attachment B) to approve the appropriation 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: Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Mr. Gallaway, Ms. Palmer, and Ms. Price.
NAYS: None.

**RESOLUTION TO APPROVE
ADDITIONAL FY 2022 APPROPRIATIONS**

BE IT RESOLVED by the Albemarle County Board of Supervisors:

- 1) That the FY 22 Budget is amended to increase it by \$35,967,295.00;
- 2) That Appropriations #2022001; #2022002; and #2022003 are approved;
- 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, 2022.

* * *

Appropriation #2022001

Sources:	Federal Revenue	\$32,711,071.00
Uses:	American Rescue Plan Act Fund	18,236,071.00
	Albemarle Broadband Authority Fund	3,000,000.00
	School Special Revenue Funds	11,475,000.00
Net Increase to Appropriated Budget:		\$32,711,071.00

Description:

This request is to appropriate \$32,711,071.00 in Federal American Rescue Plan Act (ARPA) funds to Albemarle County general government and Albemarle County Public Schools as follows:

- This request is to appropriate \$21,236,071.00 in Federal ARPA Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) funds to Albemarle County general government. This Federal funding has specific guidelines for use relating to economic recovery from the COVID-19 Pandemic. Funds are anticipated to be utilized for necessary ARPA CSLFRF eligible expenses related to human and community services, economic development, broadband, and general County projects. Of the total amount, \$3,000,000.00 is recommended to be provided to the Albemarle Broadband Authority (ABBA) for projects that support ARPA objectives and meet minimum guidelines pursuant to the Board's direction at its June 16, 2021 meeting. The County serves as the fiscal agent for ABBA.
- This request is to appropriate \$11,475,000.00 in Federal ARPA funds to Albemarle County Public Schools. As part of the budget adopted by the Virginia General Assembly, ARPA funds are anticipated to be available for school divisions to fund unmet needs due to the pandemic. This Federal funding has specific guidelines and a specific reimbursement process. Funds are anticipated to be utilized following the expenditure of the Federal Coronavirus Response and Relief Supplemental Appropriations Act (CRRSA) funding. These funds are anticipated to be used primarily for the learning recovery programs being offered after the end of the regular school year. Other uses of these funds will be consistent with Federal guidelines to meet educational needs related to the pandemic.

Appropriation #2022002

Sources:	Local Revenue	\$3,397,440.00
	State Revenue	96,145.00
	Federal Revenue	79,750.00
	Use of Capital Fund's fund balance (332,111.00)	
Uses:	General Fund	2,772,787.00
	School Fund	760,015.00
	School Special Revenue Funds	1,310,459.00

General Government Bright Stars Fund (1,552,037.00)

Net Increase to Appropriated Budget: \$3,241,224.00

Description:
This request is to appropriate funding based on the framework presented to and endorsed by the Board of Supervisors at its June 2, 2021 meeting. Based on the FY 21 third quarter financial report, staff recommended increasing the FY 22 revenue projection and allocating it to general government and school operations and capital and debt service based on the shared allocation of local tax revenues. The revenue update totaled \$3,493,585.00 in local and state revenues and it is allocated as follows:

- The capital budget receives \$332,111.00 by formula, which will reduce the planned use of capital fund balance by the same amount in the General Government Capital Fund.
- The School Division receives \$1,460,015.00 by formula. Of this amount, \$700,000.00 will be transferred to School Special Revenue Funds in support of the Bright Stars program.
- The General Fund receives \$1,701,459.00 which will be used for the following:
 - \$719,516.00 to move the Public Safety Pay Scale increase from 2% to 5% in FY 22 for Police, Fire Rescue, and Sheriff employees on the Public Safety Pay Scale.
 - \$14,693.00 for Constitutional Officer salaries to match the amounts approved by the Compensation Board, funded by related state revenue.
 - \$1,095,823.00 net cost to unfreeze 18 general government positions. This is a total cost of \$1,175,573.00 partially offset by \$79,750.00 in anticipated federal reimbursement for Department of Social Services positions.
 - \$411,572.00 is recommended to be added to the Reserve for Contingencies for future consideration in FY 22 budget management and/or FY23 budget development.
 - Net decrease of \$540,145 in General Fund support for the Bright Stars Program as follows:

In addition to the June 2 framework presented to the Board, as part of this appropriation, this request is to appropriate \$610,459 in state revenue from the Bright Stars Local Government Special Revenue Fund to a School Special Revenue Fund and for program expenses to be reallocated to the General Fund and a School Special Revenue Fund.

Bright Stars is an early intervention and prevention, comprehensive preschool program provided through Department of Social Services (DSS) & School Division collaboration. In addition to a high-quality preschool experience, children and families are provided support and case management by a family coordinator through DSS.

The FY 22 Adopted Budget for the Bright Stars Fund totals \$1.6 M and includes 23.5 full-time equivalents (FTE), of which 18.5 FTE are teachers and teacher assistants and 5.0 FTE are Department of Social Services positions. As a result of this reallocation:

- the 18.5 FTE and related educational expenses will be accounted for in a School Special Revenue Fund funded by the state revenue and a transfer from the School Fund.
- the 5.0 FTE and related health and welfare expenses will be accounted for in the General Fund (Department of Social Services).

Appropriation #2022003

Sources: Federal Revenue \$15,000.00

Uses: Department of Social Services (DSS) 15,000.00

Net Increase to Appropriated Budget: \$15,000.00

Description:
This request is to appropriate \$15,000.00 in Federal Housing and Urban Development (HUD) Administrative Fee funds for a Housing Office Assistant position approved by the Board of Supervisors on June 16, 2021. The remainder of the position’s cost will be funded by reallocating FY 22 appropriated funding within the existing DSS budget.

APP#	Account String	Description	Amount
2022003	3-5130-51410-333000-330016-1564	SA2022003: Housing Office Assistant - HUD HCV admin fees	\$12,000.00
2022003	3-5130-51410-333000-330016-1566	SA2022003: Housing Office Assistant - HUD MS5 admin fees	\$3,000.00
2022003	4-5130-51410-493000-931000-1564	SA2022003: Move to Housing Office Assistant position	\$12,000.00
2022003	4-5130-51410-493000-931000-1566	SA2022003: Move to Housing Office Assistant position	\$3,000.00
2022003	3-1000-51001-351000-510112-9999	SA2022003: Move to Housing Office Assistant position	\$15,000.00
2022003	4-1000-51100-453000-345300-9999	SA2022003: Move to Housing Office Assistant position	-\$16,800.00

2022003	4-1000-51100-453000-600100-9999	SA2022003: Move to Housing Office Assistant position	-\$12,270.00
2022003	4-1000-51400-481000-130000-9999	SA2022003: Move to Housing Office Assistant position	-\$3,000.00
2022003	4-1000-51400-481000-110000-9999	SA2022003: Housing Office Assistant	\$31,200.00
2022003	4-1000-51400-481000-210000-9999	SA2022003: Housing Office Assistant	\$2,387.00
2022003	4-1000-51400-481000-221000-9999	SA2022003: Housing Office Assistant	\$4,405.00
2022003	4-1000-51400-481000-241000-9999	SA2022003: Housing Office Assistant	\$418.00
2022003	4-1000-51400-481000-231000-9999	SA2022003: Housing Office Assistant	\$8,392.00
2022003	4-1000-51400-481000-232000-9999	SA2022003: Housing Office Assistant	\$240.00
2022003	4-1000-51400-481000-270000-9999	SA2022003: Housing Office Assistant	\$28.00
2022002	3-1000-11000-311000-110150-1000	SA2022002 Revenue update based on FY21 Q3	-\$30,743.00
2022002	3-1000-11000-311000-110350-1000	SA2022002 Revenue update based on FY21 Q3	\$420.00
2022002	3-1000-11000-311000-110355-1000	SA2022002 Revenue update based on FY21 Q3	\$6,168.00
2022002	3-1000-11000-311000-110455-1000	SA2022002 Revenue update based on FY21 Q3	\$146,424.00
2022002	3-1000-12000-312000-110601-1000	SA2022002 Revenue update based on FY21 Q3	\$15,156.00
2022002	3-1000-12000-312000-110602-1000	SA2022002 Revenue update based on FY21 Q3	\$8,539.00
2022002	3-1000-12000-312000-120100-1000	SA2022002 Revenue update based on FY21 Q3	\$616,550.00
2022002	3-1000-12000-312000-120200-1000	SA2022002 Revenue update based on FY21 Q3	-\$228,000.00
2022002	3-1000-12000-312000-120280-1000	SA2022002 Revenue update based on FY21 Q3	\$2,480.00
2022002	3-1000-12000-312000-120305-1000	SA2022002 Revenue update based on FY21 Q3	\$15,662.00
2022002	3-1000-12000-312000-120310-1000	SA2022002 Revenue update based on FY21 Q3	\$186,762.00
2022002	3-1000-12000-312000-120315-1000	SA2022002 Revenue update based on FY21 Q3	\$348,166.00
2022002	3-1000-12000-312000-120316-1000	SA2022002 Revenue update based on FY21 Q3	\$25,494.00
2022002	3-1000-12000-312000-120320-1000	SA2022002 Revenue update based on FY21 Q3	\$306,497.00
2022002	3-1000-12000-312000-120335-1000	SA2022002 Revenue update based on FY21 Q3	\$370,958.00
2022002	3-1000-12000-312000-120340-1000	SA2022002 Revenue update based on FY21 Q3	\$52,596.00
2022002	3-1000-12000-312000-120345-1000	SA2022002 Revenue update based on FY21 Q3	\$18,086.00
2022002	3-1000-12000-312000-120350-1000	SA2022002 Revenue update based on FY21 Q3	\$7,394.00
2022002	3-1000-12000-312000-120360-1000	SA2022002 Revenue update based on FY21 Q3	\$3,824.00
2022002	3-1000-12000-312000-120365-1000	SA2022002 Revenue update based on FY21 Q3	\$16,001.00
2022002	3-1000-12000-312000-120500-1000	SA2022002 Revenue update based on FY21 Q3	-\$173,601.00
2022002	3-1000-12000-312000-120600-1000	SA2022002 Revenue update based on FY21 Q3	\$283,300.00
2022002	3-1000-12000-312000-120701-1000	SA2022002 Revenue update based on FY21 Q3	\$179,103.00
2022002	3-1000-12000-312000-120703-1000	SA2022002 Revenue update based on FY21 Q3	\$51,940.00
2022002	3-1000-12000-312000-121000-1000	SA2022002 Revenue update based on FY21 Q3	\$50,724.00
2022002	3-1000-12000-312000-122000-1000	SA2022002 Revenue update based on FY21 Q3	\$485,571.00
2022002	3-1000-15001-323000-230801-9999	SA2022002 Revenue update based on FY21 Q3	\$15,256.00
2022002	3-1000-22100-323000-230300-9999	SA2022002 Revenue update based on FY21 Q3	\$30,426.00
2022002	3-1000-23100-323000-230201-9999	SA2022002 Revenue update based on FY21 Q3	\$17,071.00
2022002	3-1000-24100-323000-230101-9999	SA2022002 Revenue update based on FY21 Q3	\$10,583.00
2022002	3-1000-41401-315000-150201-9999	SA2022002 Revenue update based on FY21 Q3	\$221.00
2022002	3-1000-41401-315000-150247-9999	SA2022002 Revenue update based on FY21 Q3	-\$3,937.00
2022002	3-1000-51001-333000-330020-9999	SA2022002 Revenue - unfreezing positions	\$79,750.00
2022002	3-1000-71000-351000-512034-9999	SA2022002 Revenue update based on FY21 Q3	\$76,086.00
2022002	3-1000-72000-315000-150247-9999	SA2022002 Revenue update based on FY21 Q3	\$21,656.00
2022002	3-1000-81100-313000-130303-9999	SA2022002 Revenue update based on FY21 Q3	\$1,275.00
2022002	3-1000-81100-313000-130306-9999	SA2022002 Revenue update based on FY21 Q3	-\$22,694.00
2022002	3-1000-81100-313000-130309-9999	SA2022002 Revenue update based on FY21 Q3	\$25,408.00
2022002	3-1000-81100-313000-130313-9999	SA2022002 Revenue update based on FY21 Q3	-\$9,689.00
2022002	3-1000-81100-313000-130319-9999	SA2022002 Revenue update based on FY21 Q3	\$895.00
2022002	3-1000-81100-313000-130323-9999	SA2022002 Revenue update based on FY21 Q3	-\$1,224.00
2022002	3-1000-81100-313000-130324-9999	SA2022002 Revenue update based on FY21 Q3	\$3,301.00
2022002	3-1000-81100-313000-130325-9999	SA2022002 Revenue update based on FY21 Q3	-\$5,310.00
2022002	3-1000-81100-313000-130329-9999	SA2022002 Revenue update based on FY21 Q3	\$1,378.00
2022002	3-1000-81100-313000-130330-9999	SA2022002 Revenue update based on FY21 Q3	-\$2,283.00
2022002	3-1000-81100-313000-130332-9999	SA2022002 Revenue update based on FY21 Q3	-\$3,482.00
2022002	3-1000-81100-313000-130333-9999	SA2022002 Revenue update based on FY21 Q3	\$38,581.00
2022002	3-1000-81100-313000-130334-9999	SA2022002 Revenue update based on FY21 Q3	\$29,071.00
2022002	3-1000-81100-313000-130335-9999	SA2022002 Revenue update based on FY21 Q3	-\$449.00
2022002	3-1000-81100-313000-130342-9999	SA2022002 Revenue update based on FY21 Q3	\$6,282.00
2022002	3-1000-81100-313000-130343-9999	SA2022002 Revenue update based on FY21 Q3	-\$27,107.00
2022002	3-1000-81100-313000-130345-9999	SA2022002 Revenue update based on FY21 Q3	\$28,960.00
2022002	3-1000-81100-313000-130346-9999	SA2022002 Revenue update based on FY21 Q3	\$21,034.00
2022002	3-1000-81100-314000-140132-9999	SA2022002 Revenue update based on FY21 Q3	\$1,144.00
2022002	3-1000-81100-316000-160810-9999	SA2022002 Revenue update based on FY21 Q3	-\$226.00
2022002	3-1000-81100-316000-169902-9999	SA2022002 Revenue update based on FY21 Q3	\$1,742.00
2022002	3-1000-81100-316000-169904-9999	SA2022002 Revenue update based on FY21 Q3	-\$530.00
2022002	3-1000-81200-313000-130307-9999	SA2022002 Revenue update based on FY21 Q3	\$8,961.00
2022002	3-1000-81200-313000-130308-9999	SA2022002 Revenue update based on FY21 Q3	\$456,556.00
2022002	3-1000-81200-319000-190410-9999	SA2022002 Revenue update based on FY21 Q3	-\$1,651.00
2022002	3-1000-99000-318000-180301-9999	SA2022002 Revenue update based on FY21 Q3	-\$12,000.00
2022002	3-1000-99000-322000-220108-9999	SA2022002 Revenue update based on FY21 Q3	\$22,809.00
2022002	3-2000-62000-351000-512004-6599	SA2022002 Transfer from Gen Fund - revenue update	\$1,460,015.00
2022002	3-3227-63227-324000-240500-6599	SA2022002 GRANT REVENUE-STATE	\$610,459.00
2022002	3-3227-63227-351000-512001-6599	SA2022002 TRS. FR.-FROM SCHOOL FUND	\$700,000.00
2022002	3-5310-51600-324000-240283-9999	SA2022002	-\$610,459.00
2022002	3-5310-51600-351000-512004-9999	SA2022002	-\$941,578.00
2022002	3-5803-12000-312000-121000-9999	SA2022002 Revenue update based on FY21 Q3	\$76,086.00
2022002	3-9010-99000-351000-512004-9136	SA2022002 Revenue update - capital equity	\$332,111.00
2022002	3-9010-99000-352000-510100-9136	SA2022002 Revenue update - capital equity	-\$332,111.00
2022002	4-1000-12300-412000-110000-9999	SA2022002 Unfreeze positions	\$54,704.00
2022002	4-1000-12300-412000-210000-9999	SA2022002 Unfreeze positions	\$4,185.00
2022002	4-1000-12300-412000-221000-9999	SA2022002 Unfreeze positions	\$7,724.00
2022002	4-1000-12300-412000-231000-9999	SA2022002 Unfreeze positions	\$8,392.00
2022002	4-1000-12300-412000-232000-9999	SA2022002 Unfreeze positions	\$240.00
2022002	4-1000-12300-412000-241000-9999	SA2022002 Unfreeze positions	\$733.00
2022002	4-1000-12400-412000-110000-9999	SA2022002 Unfreeze positions	\$58,744.00
2022002	4-1000-12400-412000-210000-9999	SA2022002 Unfreeze positions	\$4,494.00

2022002	4-1000-12400-412000-221000-9999	SA2022002 Unfreeze positions	\$8,295.00
2022002	4-1000-12400-412000-231000-9999	SA2022002 Unfreeze positions	\$8,392.00
2022002	4-1000-12400-412000-232000-9999	SA2022002 Unfreeze positions	\$240.00
2022002	4-1000-12400-412000-241000-9999	SA2022002 Unfreeze positions	\$787.00
2022002	4-1000-13100-412000-110000-9999	SA2022002 Unfreeze positions	\$44,292.00
2022002	4-1000-13100-412000-210000-9999	SA2022002 Unfreeze positions	\$3,388.00
2022002	4-1000-13100-412000-221000-9999	SA2022002 Unfreeze positions	\$6,254.00
2022002	4-1000-13100-412000-231000-9999	SA2022002 Unfreeze positions	\$8,392.00
2022002	4-1000-13100-412000-232000-9999	SA2022002 Unfreeze positions	\$240.00
2022002	4-1000-13100-412000-241000-9999	SA2022002 Unfreeze positions	\$594.00
2022002	4-1000-15600-412000-110000-9999	SA2022002 Unfreeze positions	\$44,292.00
2022002	4-1000-15600-412000-210000-9999	SA2022002 Unfreeze positions	\$3,388.00
2022002	4-1000-15600-412000-221000-9999	SA2022002 Unfreeze positions	\$6,254.00
2022002	4-1000-15600-412000-231000-9999	SA2022002 Unfreeze positions	\$8,392.00
2022002	4-1000-15600-412000-232000-9999	SA2022002 Unfreeze positions	\$240.00
2022002	4-1000-15600-412000-241000-9999	SA2022002 Unfreeze positions	\$594.00
2022002	4-1000-22100-421700-110000-9999	SA2022002 Constitutional Officers - State Salary and Unfreeze Position	\$37,070.00
2022002	4-1000-22100-421700-210000-9999	SA2022002 Constitutional Officers - State Salary and Unfreeze Position	\$2,836.00
2022002	4-1000-22100-421700-221000-9999	SA2022002 Constitutional Officers - State Salary and Unfreeze Position	\$5,234.00
2022002	4-1000-22100-421700-231000-9999	SA2022002 Unfreeze positions	\$8,392.00
2022002	4-1000-22100-421700-232000-9999	SA2022002 Unfreeze positions	\$240.00
2022002	4-1000-22100-421700-241000-9999	SA2022002 Constitutional Officers - State Salary and Unfreeze Position	\$497.00
2022002	4-1000-23100-421800-110000-9999	SA2022002 Public Safety Pay Plan and State Const. Off.	\$39,048.00
2022002	4-1000-23100-421800-120000-9999	SA2022002 Public Safety Pay Plan to 5%	\$2,559.00
2022002	4-1000-23100-421800-210000-9999	SA2022002 Public Safety Pay Plan and State Const. Off.	\$3,183.00
2022002	4-1000-23100-421800-221000-9999	SA2022002 Public Safety Pay Plan and State Const. Off.	\$4,815.00
2022002	4-1000-23100-421800-241000-9999	SA2022002 Public Safety Pay Plan and State Const. Off.	\$457.00
2022002	4-1000-23100-421800-270000-9999	SA2022002 Public Safety Pay Plan to 5%	\$811.00
2022002	4-1000-24100-422000-110000-9999	SA2022002 Constitutional Officers - State Salary	\$4,342.00
2022002	4-1000-24100-422000-210000-9999	SA2022002 Constitutional Officers - State Salary	\$332.00
2022002	4-1000-24100-422000-221000-9999	SA2022002 Constitutional Officers - State Salary	\$613.00
2022002	4-1000-24100-422000-241000-9999	SA2022002 Constitutional Officers - State Salary	\$58.00
2022002	4-1000-31100-431000-110000-9999	SA2022002 Public Safety Pay Plan to 5% and Unfreeze Position	\$295,777.00
2022002	4-1000-31100-431000-120000-9999	SA2022002 Public Safety Pay Plan to 5%	\$30,905.00
2022002	4-1000-31100-431000-210000-9999	SA2022002 Public Safety Pay Plan to 5% and Unfreeze Position	\$24,991.00
2022002	4-1000-31100-431000-221000-9999	SA2022002 Public Safety Pay Plan to 5% and Unfreeze Position	\$41,764.00
2022002	4-1000-31100-431000-231000-9999	SA2022002 Unfreeze positions	\$8,392.00
2022002	4-1000-31100-431000-232000-9999	SA2022002 Unfreeze positions	\$240.00
2022002	4-1000-31100-431000-241000-9999	SA2022002 Public Safety Pay Plan to 5% and Unfreeze Position	\$3,963.00
2022002	4-1000-31100-431000-270000-9999	SA2022002 Public Safety Pay Plan to 5%	\$5,080.00
2022002	4-1000-33500-432000-110000-9999	SA2022002 Public Safety Pay Plan to 5%	\$210,718.00
2022002	4-1000-33500-432000-120000-9999	SA2022002 Public Safety Pay Plan to 5%	\$33,939.00
2022002	4-1000-33500-432000-210000-9999	SA2022002 Public Safety Pay Plan to 5%	\$18,716.00
2022002	4-1000-33500-432000-221000-9999	SA2022002 Public Safety Pay Plan to 5%	\$36,883.00
2022002	4-1000-33500-432000-241000-9999	SA2022002 Public Safety Pay Plan to 5%	\$2,824.00
2022002	4-1000-33500-432000-270000-9999	SA2022002 Public Safety Pay Plan to 5%	\$9,347.00
2022002	4-1000-41410-443000-110000-9999	SA2022002 Unfreeze positions	\$50,986.00
2022002	4-1000-41410-443000-210000-9999	SA2022002 Unfreeze positions	\$3,900.00
2022002	4-1000-41410-443000-221000-9999	SA2022002 Unfreeze positions	\$7,199.00
2022002	4-1000-41410-443000-231000-9999	SA2022002 Unfreeze positions	\$8,392.00
2022002	4-1000-41410-443000-232000-9999	SA2022002 Unfreeze positions	\$240.00
2022002	4-1000-41410-443000-241000-9999	SA2022002 Unfreeze positions	\$683.00
2022002	4-1000-51100-453000-110000-9999	SA2022002 Unfreeze positions	\$35,213.00
2022002	4-1000-51100-453000-210000-9999	SA2022002 Unfreeze positions	\$2,694.00
2022002	4-1000-51100-453000-221000-9999	SA2022002 Unfreeze positions	\$4,972.00
2022002	4-1000-51100-453000-231000-9999	SA2022002 Unfreeze positions	\$8,392.00
2022002	4-1000-51100-453000-232000-9999	SA2022002 Unfreeze positions	\$240.00
2022002	4-1000-51100-453000-241000-9999	SA2022002 Unfreeze positions	\$472.00
2022002	4-1000-51100-493000-935106-9999	SA2022002 Bright Stars to School Division	-\$941,578.00
2022002	4-1000-51500-453000-110000-9999	SA2022002 DSS Bright Stars Costs now in GF and Unfreeze Positions	\$401,786.00
2022002	4-1000-51500-453000-210000-9999	SA2022002 DSS Bright Stars Costs now in GF and Unfreeze Positions	\$30,741.00
2022002	4-1000-51500-453000-221000-9999	SA2022002 DSS Bright Stars Costs now in GF and Unfreeze Positions	\$56,741.00
2022002	4-1000-51500-453000-231000-9999	SA2022002 DSS Bright Stars Costs now in GF and Unfreeze Positions	\$60,938.00
2022002	4-1000-51500-453000-232000-9999	SA2022002 DSS Bright Stars Costs now in GF and Unfreeze Positions	\$1,829.00
2022002	4-1000-51500-453000-241000-9999	SA2022002 DSS Bright Stars Costs now in GF and Unfreeze Positions	\$5,385.00
2022002	4-1000-51500-453000-270000-9999	SA2022002 DSS Bright Stars Costs now in GF	\$1,529.00
2022002	4-1000-51500-453000-341200-9999	SA2022002 DSS Bright Stars Costs now in GF	\$1,000.00
2022002	4-1000-51500-453000-345300-9999	SA2022002 DSS Bright Stars Costs now in GF	\$9,100.00
2022002	4-1000-51500-453000-379200-9999	SA2022002 DSS Bright Stars Costs now in GF	\$200.00
2022002	4-1000-51500-453000-440010-9999	SA2022002 DSS Bright Stars Costs now in GF	\$1,300.00
2022002	4-1000-51500-453000-520100-9999	SA2022002 DSS Bright Stars Costs now in GF	\$100.00
2022002	4-1000-51500-453000-520300-9999	SA2022002 DSS Bright Stars Costs now in GF	\$3,150.00
2022002	4-1000-51500-453000-520315-9999	SA2022002 DSS Bright Stars Costs now in GF	\$360.00

2022002	4-1000-51500-453000-530700-9999	SA2022002 DSS Bright Stars Costs now in GF	\$420.00
2022002	4-1000-51500-453000-551100-9999	SA2022002 DSS Bright Stars Costs now in GF	\$1,000.00
2022002	4-1000-51500-453000-552200-9999	SA2022002 DSS Bright Stars Costs now in GF	\$2,000.00
2022002	4-1000-51500-453000-580100-9999	SA2022002 DSS Bright Stars Costs now in GF	\$100.00
2022002	4-1000-51500-453000-600100-9999	SA2022002 DSS Bright Stars Costs now in GF	\$1,230.00
2022002	4-1000-51500-453000-601200-9999	SA2022002 DSS Bright Stars Costs now in GF	\$825.00
2022002	4-1000-71200-471000-110000-9999	SA2022002 Unfreeze positions	\$151,910.00
2022002	4-1000-71200-471000-210000-9999	SA2022002 Unfreeze positions	\$11,621.00
2022002	4-1000-71200-471000-221000-9999	SA2022002 Unfreeze positions	\$21,450.00
2022002	4-1000-71200-471000-231000-9999	SA2022002 Unfreeze positions	\$25,176.00
2022002	4-1000-71200-471000-232000-9999	SA2022002 Unfreeze positions	\$720.00
2022002	4-1000-71200-471000-241000-9999	SA2022002 Unfreeze positions	\$2,036.00
2022002	4-1000-81200-434000-110000-9999	SA2022002 Unfreeze positions	\$34,032.00
2022002	4-1000-81200-434000-210000-9999	SA2022002 Unfreeze positions	\$2,569.00
2022002	4-1000-81200-434000-221000-9999	SA2022002 Unfreeze positions	\$4,742.00
2022002	4-1000-81200-434000-231000-9999	SA2022002 Unfreeze positions	\$8,392.00
2022002	4-1000-81200-434000-232000-9999	SA2022002 Unfreeze positions	\$720.00
2022002	4-1000-81300-481000-110000-9999	SA2022002 Unfreeze positions	\$110,874.00
2022002	4-1000-81300-481000-210000-9999	SA2022002 Unfreeze positions	\$8,370.00
2022002	4-1000-81300-481000-221000-9999	SA2022002 Unfreeze positions	\$15,448.00
2022002	4-1000-81300-481000-231000-9999	SA2022002 Unfreeze positions	\$16,784.00
2022002	4-1000-81600-481000-110000-9999	SA2022002 Unfreeze positions	\$54,704.00
2022002	4-1000-81600-481000-210000-9999	SA2022002 Unfreeze positions	\$4,185.00
2022002	4-1000-81600-481000-221000-9999	SA2022002 Unfreeze positions	\$7,724.00
2022002	4-1000-81600-481000-231000-9999	SA2022002 Unfreeze positions	\$8,392.00
2022002	4-1000-81600-481000-232000-9999	SA2022002 Unfreeze positions	\$240.00
2022002	4-1000-81600-481000-241000-9999	SA2022002 Unfreeze positions	\$733.00
2022002	4-1000-94000-499000-999990-9999	SA2022002 Gen Fund remaining - Reserve for Contingencies	\$411,572.00
2022002	4-1000-99000-493000-932000-9999	SA2022002 Revenue update - School Division Share	\$1,460,015.00
2022002	4-1000-99000-493000-939101-9999	SA2022002 Revenue update - capital equity	\$332,111.00
2022002	4-2000-69998-493010-930000-6501	SA2022002 Transfer to new Bright Stars Fund	\$700,000.00
2022002	4-2000-62102-461103-701100-6305	SA2022002 CATEC-LOCAL CONTR.	\$43,832.00
2022002	4-2000-62115-493010-939999-6503	SA2022002 TRANSFER TO OTHER FUNDS	\$60,000.00
2022002	4-2000-62433-462420-119100-6252	SA2022002 SALARIES-CUSTODIAL	\$16,640.00
2022002	4-2000-62433-462420-210000-6252	SA2022002 FICA	\$1,273.00
2022002	4-2000-62433-462420-221000-6252	SA2022002 VIRGINIA RETIREMENT SYS.	\$2,967.00
2022002	4-2000-62433-462420-241000-6252	SA2022002 VRS GROUP LIFE INSURANCE	\$223.00
2022002	4-2000-62433-462420-231000-6252	SA2022002 HEALTH INSURANCE	\$4,196.00
2022002	4-2000-62433-462420-232000-6252	SA2022002 DENTAL INSURANCE	\$120.00
2022002	4-2000-62433-462420-119100-6301	SA2022002 SALARIES-CUSTODIAL	\$16,640.00
2022002	4-2000-62433-462420-210000-6301	SA2022002 FICA	\$1,273.00
2022002	4-2000-62433-462420-221000-6301	SA2022002 VIRGINIA RETIREMENT SYS.	\$2,967.00
2022002	4-2000-62433-462420-241000-6301	SA2022002 VRS GROUP LIFE INSURANCE	\$223.00
2022002	4-2000-62433-462420-231000-6301	SA2022002 HEALTH INSURANCE	\$4,196.00
2022002	4-2000-62433-462420-232000-6301	SA2022002 DENTAL INSURANCE	\$120.00
2022002	4-2000-62433-462420-119100-6302	SA2022002 SALARIES-CUSTODIAL	\$16,640.00
2022002	4-2000-62433-462420-210000-6302	SA2022002 FICA	\$1,273.00
2022002	4-2000-62433-462420-221000-6302	SA2022002 VIRGINIA RETIREMENT SYS.	\$2,967.00
2022002	4-2000-62433-462420-241000-6302	SA2022002 VRS GROUP LIFE INSURANCE	\$223.00
2022002	4-2000-62433-462420-231000-6302	SA2022002 HEALTH INSURANCE	\$4,196.00
2022002	4-2000-62433-462420-232000-6302	SA2022002 DENTAL INSURANCE	\$120.00
2022002	4-2000-62433-462420-119100-6304	SA2022002 SALARIES-CUSTODIAL	\$16,640.00
2022002	4-2000-62433-462420-210000-6304	SA2022002 FICA	\$1,273.00
2022002	4-2000-62433-462420-221000-6304	SA2022002 VIRGINIA RETIREMENT SYS.	\$2,967.00
2022002	4-2000-62433-462420-241000-6304	SA2022002 VRS GROUP LIFE INSURANCE	\$223.00
2022002	4-2000-62433-462420-231000-6304	SA2022002 HEALTH INSURANCE	\$4,196.00
2022002	4-2000-62433-462420-232000-6304	SA2022002 DENTAL INSURANCE	\$120.00
2022002	4-2000-62433-462420-129100-6505	SA2022002 OT/WAGES-CUSTODIAL	\$22,000.00
2022002	4-2000-62431-462160-125000-6501	SA2022002 OT/WAGES-OFFICE CLERICAL	\$2,000.00
2022002	4-2000-62433-462420-126000-6505	SA2022002 OT/WAGES-TRADES/MAINT	\$26,000.00
2022002	4-2000-62115-468200-123500-6503	SA2022002 OT/WAGES-OTHER TECHNICAL	\$5,000.00
2022002	4-2000-62432-462320-127100-6504	SA2022002 OT/WAGES-BUS DRIVERS	\$17,000.00
2022002	4-2000-62100-461101-120000-6499	SA2022002 OVERTIME WAGES	\$8,000.00
2022002	4-2000-62112-461312-111400-6501	SA2022002 SALARIES-OTHER MANAGEMENT	\$80,000.00
2022002	4-2000-62112-461312-210000-6501	SA2022002 FICA	\$6,120.00
2022002	4-2000-62112-461312-221000-6501	SA2022002 VIRGINIA RETIREMENT SYS.	\$14,264.00
2022002	4-2000-62112-461312-241000-6501	SA2022002 VRS GROUP LIFE INSURANCE	\$1,072.00
2022002	4-2000-62112-461312-231000-6501	SA2022002 HEALTH INSURANCE	\$8,392.00
2022002	4-2000-62112-461312-232000-6501	SA2022002 DENTAL INSURANCE	\$240.00
2022002	4-2000-62118-461337-301210-6501	SA2022002 CONTRACT SERVICES	\$36,000.00
2022002	4-2000-62118-461337-111400-6501	SA2022002 SALARIES-OTHER MANAGEMENT	\$80,000.00
2022002	4-2000-62118-461337-210000-6501	SA2022002 FICA	\$6,120.00
2022002	4-2000-62118-461337-221000-6501	SA2022002 VIRGINIA RETIREMENT SYS.	\$14,264.00
2022002	4-2000-62118-461337-241000-6501	SA2022002 VRS GROUP LIFE INSURANCE	\$1,072.00
2022002	4-2000-62118-461337-231000-6501	SA2022002 HEALTH INSURANCE	\$8,392.00
2022002	4-2000-62118-461337-232000-6501	SA2022002 DENTAL INSURANCE	\$240.00
2022002	4-2000-69998-461101-999991-6499	SA2022002 SUPERINTENDENT'S CONTINGENCY	\$218,331.00
2022002	4-3227-63227-461108-112100-6104	SA2022002 SALARIES-TEACHER	\$118,570.00
2022002	4-3227-63227-461108-112100-6109	SA2022002 SALARIES-TEACHER	\$59,285.00
2022002	4-3227-63227-461108-112100-6110	SA2022002 SALARIES-TEACHER	\$59,285.00
2022002	4-3227-63227-461108-112100-6112	SA2022002 SALARIES-TEACHER	\$118,570.00
2022002	4-3227-63227-461108-112100-6114	SA2022002 SALARIES-TEACHER	\$118,570.00
2022002	4-3227-63227-461108-112100-6116	SA2022002 SALARIES-TEACHER	\$59,285.00
2022002	4-3227-63227-461108-114100-6104	SA2022002 SALARIES-TEACHER AIDE	\$47,316.00
2022002	4-3227-63227-461108-114100-6109	SA2022002 SALARIES-TEACHER AIDE	\$23,658.00
2022002	4-3227-63227-461108-114100-6110	SA2022002 SALARIES-TEACHER AIDE	\$23,658.00
2022002	4-3227-63227-461108-114100-6112	SA2022002 SALARIES-TEACHER AIDE	\$47,316.00
2022002	4-3227-63227-461108-114100-6114	SA2022002 SALARIES-TEACHER AIDE	\$47,316.00
2022002	4-3227-63227-461108-114100-6116	SA2022002 SALARIES-TEACHER AIDE	\$23,658.00

2022002	4-3227-63227-461108-152100-6104	SA2022002 SUB/WAGES-TEACHER	\$444.00
2022002	4-3227-63227-461108-152100-6109	SA2022002 SUB/WAGES-TEACHER	\$222.00
2022002	4-3227-63227-461108-152100-6110	SA2022002 SUB/WAGES-TEACHER	\$222.00
2022002	4-3227-63227-461108-152100-6112	SA2022002 SUB/WAGES-TEACHER	\$444.00
2022002	4-3227-63227-461108-152100-6114	SA2022002 SUB/WAGES-TEACHER	\$444.00
2022002	4-3227-63227-461108-152100-6116	SA2022002 SUB/WAGES-TEACHER	\$222.00
2022002	4-3227-63227-461108-154100-6104	SA2022002 SUB/WAGES-TEACHER AIDE	\$444.00
2022002	4-3227-63227-461108-154100-6109	SA2022002 SUB/WAGES-TEACHER AIDE	\$222.00
2022002	4-3227-63227-461108-154100-6110	SA2022002 SUB/WAGES-TEACHER AIDE	\$222.00
2022002	4-3227-63227-461108-154100-6112	SA2022002 SUB/WAGES-TEACHER AIDE	\$444.00
2022002	4-3227-63227-461108-154100-6114	SA2022002 SUB/WAGES-TEACHER AIDE	\$444.00
2022002	4-3227-63227-461108-154100-6116	SA2022002 SUB/WAGES-TEACHER AIDE	\$222.00
2022002	4-3227-63227-461108-160110-6104	SA2022002 STIPEND-ACADEMIC LEADERSH	\$294.00
2022002	4-3227-63227-461108-160110-6109	SA2022002 STIPEND-ACADEMIC LEADERSH	\$147.00
2022002	4-3227-63227-461108-160110-6110	SA2022002 STIPEND-ACADEMIC LEADERSH	\$147.00
2022002	4-3227-63227-461108-160110-6112	SA2022002 STIPEND-ACADEMIC LEADERSH	\$294.00
2022002	4-3227-63227-461108-160110-6114	SA2022002 STIPEND-ACADEMIC LEADERSH	\$294.00
2022002	4-3227-63227-461108-160110-6116	SA2022002 STIPEND-ACADEMIC LEADERSH	\$147.00
2022002	4-3227-63227-461108-210000-6104	SA2022002 FICA	\$12,780.00
2022002	4-3227-63227-461108-210000-6109	SA2022002 FICA	\$6,390.00
2022002	4-3227-63227-461108-210000-6110	SA2022002 FICA	\$6,390.00
2022002	4-3227-63227-461108-210000-6112	SA2022002 FICA	\$12,780.00
2022002	4-3227-63227-461108-210000-6114	SA2022002 FICA	\$12,780.00
2022002	4-3227-63227-461108-210000-6116	SA2022002 FICA	\$6,390.00
2022002	4-3227-63227-461108-221000-6104	SA2022002 VIRGINIA RETIREMENT SYS.	\$26,012.00
2022002	4-3227-63227-461108-221000-6109	SA2022002 VIRGINIA RETIREMENT SYS.	\$13,006.00
2022002	4-3227-63227-461108-221000-6110	SA2022002 VIRGINIA RETIREMENT SYS.	\$13,006.00
2022002	4-3227-63227-461108-221000-6112	SA2022002 VIRGINIA RETIREMENT SYS.	\$26,012.00
2022002	4-3227-63227-461108-221000-6114	SA2022002 VIRGINIA RETIREMENT SYS.	\$26,012.00
2022002	4-3227-63227-461108-221000-6116	SA2022002 VIRGINIA RETIREMENT SYS.	\$13,006.00
2022002	4-3227-63227-461108-231000-6104	SA2022002 HEALTH INSURANCE	\$29,804.00
2022002	4-3227-63227-461108-231000-6109	SA2022002 HEALTH INSURANCE	\$14,902.00
2022002	4-3227-63227-461108-231000-6110	SA2022002 HEALTH INSURANCE	\$14,902.00
2022002	4-3227-63227-461108-231000-6112	SA2022002 HEALTH INSURANCE	\$29,804.00
2022002	4-3227-63227-461108-231000-6114	SA2022002 HEALTH INSURANCE	\$29,804.00
2022002	4-3227-63227-461108-231000-6116	SA2022002 HEALTH INSURANCE	\$14,902.00
2022002	4-3227-63227-461108-232000-6104	SA2022002 DENTAL INSURANCE	\$422.00
2022002	4-3227-63227-461108-232000-6109	SA2022002 DENTAL INSURANCE	\$211.00
2022002	4-3227-63227-461108-232000-6110	SA2022002 DENTAL INSURANCE	\$211.00
2022002	4-3227-63227-461108-232000-6112	SA2022002 DENTAL INSURANCE	\$422.00
2022002	4-3227-63227-461108-232000-6114	SA2022002 DENTAL INSURANCE	\$422.00
2022002	4-3227-63227-461108-232000-6116	SA2022002 DENTAL INSURANCE	\$211.00
2022002	4-3227-63227-461108-241000-6104	SA2022002 VRS GROUP LIFE INSURANCE	\$1,974.00
2022002	4-3227-63227-461108-241000-6109	SA2022002 VRS GROUP LIFE INSURANCE	\$987.00
2022002	4-3227-63227-461108-241000-6110	SA2022002 VRS GROUP LIFE INSURANCE	\$987.00
2022002	4-3227-63227-461108-241000-6112	SA2022002 VRS GROUP LIFE INSURANCE	\$1,974.00
2022002	4-3227-63227-461108-241000-6114	SA2022002 VRS GROUP LIFE INSURANCE	\$1,974.00
2022002	4-3227-63227-461108-241000-6116	SA2022002 VRS GROUP LIFE INSURANCE	\$987.00
2022002	4-3227-63227-461108-312100-6501	SA2022002 PROF. SER. LEGAL	\$100.00
2022002	4-3227-63227-461108-312135-6501	SA2022002 PROFESSIONAL SERV-INTERPRETER	\$9,100.00
2022002	4-3227-63227-461108-312500-6501	SA2022002 PROF. SER. INSTRUCTIONAL	\$56,934.00
2022002	4-3227-63227-461108-312700-6501	SA2022002 PROF. SER. CONSULTANTS	\$900.00
2022002	4-3227-63227-461108-350000-6501	SA2022002 PRINT & BIND-EXTERNAL	\$200.00
2022002	4-3227-63227-461108-360000-6501	SA2022002 ADVERTISING	\$1,500.00
2022002	4-3227-63227-461108-420100-6501	SA2022002 FIELD TRIPS	\$5,200.00
2022002	4-3227-63227-461108-520100-6501	SA2022002 POSTAL SERVICES	\$100.00
2022002	4-3227-63227-461108-520300-6501	SA2022002 TELECOMMUNICATIONS	\$3,150.00
2022002	4-3227-63227-461108-520315-6501	SA2022002 CELL - STIPEND	\$360.00
2022002	4-3227-63227-461108-550100-6501	SA2022002 TRAVEL/TRAINING/EDUCATION	\$600.00
2022002	4-3227-63227-461108-550305-6501	SA2022002 TRAVEL-LODGING	\$300.00
2022002	4-3227-63227-461108-550400-6501	SA2022002 TRAVEL-EDUCATION	\$100.00
2022002	4-3227-63227-461108-580100-6501	SA2022002 DUES & MEMBERSHIPS	\$100.00
2022002	4-3227-63227-461108-580500-6501	SA2022002 STAFF DEVELOPMENT	\$1,000.00
2022002	4-3227-63227-461108-600100-6501	SA2022002 OFFICE SUPPLIES	\$1,230.00
2022002	4-3227-63227-461108-600200-6501	SA2022002 FOOD SUPPLIES	\$4,400.00
2022002	4-3227-63227-461108-601200-6501	SA2022002 BOOKS & SUBSCRIPTIONS	\$825.00
2022002	4-3227-63227-461108-601300-6501	SA2022002 EDUC. & RECREATION SUP.	\$44,238.00
2022002	4-3227-63227-461108-601700-6501	SA2022002 COPY EXPENSE	\$1,300.00
2022002	4-3227-63227-461315-111400-6501	SA2022002 SALARIES-OTHER MANAGEMENT	\$52,000.00
2022002	4-3227-63227-461315-210000-6501	SA2022002 FICA	\$3,978.00
2022002	4-3227-63227-461315-221000-6501	SA2022002 VIRGINIA RETIREMENT SYS.	\$9,272.00
2022002	4-3227-63227-461315-231000-6501	SA2022002 HEALTH INSURANCE	\$4,196.00
2022002	4-3227-63227-461315-232000-6501	SA2022002 DENTAL INSURANCE	\$120.00
2022002	4-3227-63227-461315-241000-6501	SA2022002 VRS GROUP LIFE INSURANCE	\$697.00
2022002	4-3227-63227-462160-115000-6501	SA2022002 SALARIES-OFFICE CLERICAL	\$26,000.00
2022002	4-3227-63227-462160-210000-6501	SA2022002 FICA	\$1,989.00
2022002	4-3227-63227-462160-221000-6501	SA2022002 VIRGINIA RETIREMENT SYS.	\$4,636.00
2022002	4-3227-63227-462160-231000-6501	SA2022002 HEALTH INSURANCE	\$4,196.00
2022002	4-3227-63227-462160-232000-6501	SA2022002 DENTAL INSURANCE	\$120.00
2022002	4-3227-63227-462160-241000-6501	SA2022002 VRS GROUP LIFE INSURANCE	\$348.00
2022002	4-5310-51610-453000-110000-9999	SA2022002 Bright Stars to School Division	-\$77,438.00
2022002	4-5310-51610-453000-210000-9999	SA2022002 Bright Stars to School Division	-\$5,924.00
2022002	4-5310-51610-453000-221000-9999	SA2022002 Bright Stars to School Division	-\$10,934.00
2022002	4-5310-51610-453000-231000-9999	SA2022002 Bright Stars to School Division	-\$7,492.00
2022002	4-5310-51610-453000-232000-9999	SA2022002 Bright Stars to School Division	-\$240.00
2022002	4-5310-51610-453000-241000-9999	SA2022002 Bright Stars to School Division	-\$1,038.00
2022002	4-5310-51610-453000-270000-9999	SA2022002 Bright Stars to School Division	-\$360.00
2022002	4-5310-51610-453000-552200-9999	SA2022002 Bright Stars to School Division	-\$1,000.00
2022002	4-5310-51620-453000-110000-9999	SA2022002 Bright Stars to School Division	-\$200,617.00
2022002	4-5310-51620-453000-112100-9999	SA2022002 Bright Stars to School Division	-\$533,565.00

2022002	4-5310-51620-453000-114100-9999	SA2022002 Bright Stars to School Division	-\$212,926.00
2022002	4-5310-51620-453000-132135-9999	SA2022002 Bright Stars to School Division	-\$1,000.00
2022002	4-5310-51620-453000-152100-9999	SA2022002 Bright Stars to School Division	-\$2,000.00
2022002	4-5310-51620-453000-154100-9999	SA2022002 Bright Stars to School Division	-\$2,000.00
2022002	4-5310-51620-453000-160110-9999	SA2022002 Bright Stars to School Division	-\$1,320.00
2022002	4-5310-51620-453000-210000-9999	SA2022002 Bright Stars to School Division	-\$72,937.00
2022002	4-5310-51620-453000-221000-9999	SA2022002 Bright Stars to School Division	-\$145,377.00
2022002	4-5310-51620-453000-221500-9999	SA2022002 Bright Stars to School Division	-\$600.00
2022002	4-5310-51620-453000-231000-9999	SA2022002 Bright Stars to School Division	-\$162,391.00
2022002	4-5310-51620-453000-232000-9999	SA2022002 Bright Stars to School Division	-\$2,767.00
2022002	4-5310-51620-453000-241000-9999	SA2022002 Bright Stars to School Division	-\$11,572.00
2022002	4-5310-51620-453000-270000-9999	SA2022002 Bright Stars to School Division	-\$1,220.00
2022002	4-5310-51620-453000-341200-9999	SA2022002 Bright Stars to School Division	-\$1,000.00
2022002	4-5310-51620-453000-345200-9999	SA2022002 Bright Stars to School Division	-\$56,934.00
2022002	4-5310-51620-453000-345300-9999	SA2022002 Bright Stars to School Division	-\$9,100.00
2022002	4-5310-51620-453000-379000-9999	SA2022002 Bright Stars to School Division	-\$5,200.00
2022002	4-5310-51620-453000-379200-9999	SA2022002 Bright Stars to School Division	-\$200.00
2022002	4-5310-51620-453000-440010-9999	SA2022002 Bright Stars to School Division	-\$1,300.00
2022002	4-5310-51620-453000-520100-9999	SA2022002 Bright Stars to School Division	-\$100.00
2022002	4-5310-51620-453000-520300-9999	SA2022002 Bright Stars to School Division	-\$3,150.00
2022002	4-5310-51620-453000-520315-9999	SA2022002 Bright Stars to School Division	-\$360.00
2022002	4-5310-51620-453000-530700-9999	SA2022002 Bright Stars to School Division	-\$420.00
2022002	4-5310-51620-453000-551100-9999	SA2022002 Bright Stars to School Division	-\$1,000.00
2022002	4-5310-51620-453000-552200-9999	SA2022002 Bright Stars to School Division	-\$1,000.00
2022002	4-5310-51620-453000-580100-9999	SA2022002 Bright Stars to School Division	-100.00
2022002	4-5310-51620-453000-600100-9999	SA2022002 Bright Stars to School Division	-1230.00
2022002	4-5310-51620-453000-600130-9999	SA2022002 Bright Stars to School Division	-1500.00
2022002	4-5310-51620-453000-600200-9999	SA2022002 Bright Stars to School Division	-4400.00
2022002	4-5310-51620-453000-601200-9999	SA2022002 Bright Stars to School Division	-825.00
2022002	4-5310-51620-453000-601300-9999	SA2022002 Bright Stars to School Division	-9500.00
2022002	4-5803-99000-493000-931000-9999	SA2022002 Revenue update	\$76,086.00
2022001	3-3166-63166-333000-330001-6599	SA2022001 Grant - Federal	11475000.00
2022001	4-3166-63166-461101-113100-6530	SA2022001 Salaries Nurse	240000.00
2022001	4-3166-63166-461101-119401-6530	SA2022001 TA Salaries	400000.00
2022001	4-3166-63166-461101-160150-6530	SA2022001 Stipends Tutorial	6000000.00
2022001	4-3166-63166-461101-210000-6530	SA2022001 FICA	510000.00
2022001	4-3166-63166-461101-221000-6530	SA2022001 VRS	25000.00
2022001	4-3166-63166-461101-231000-6530	SA2022001 Health	19500.00
2022001	4-3166-63166-461101-232000-6530	SA2022001 Dental	500.00
2022001	4-3166-63166-461101-240000-6530	SA2022001 GLI	2000.00
2022001	4-3166-63166-461101-310000-6530	SA2022001 Professional Svs	800000.00
2022001	4-3166-63166-461101-301210-6530	SA2022001 Contract Services	1000000.00
2022001	4-3166-63166-461101-312700-6530	SA2022001 Prof Serv Consultant	353000.00
2022001	4-3166-63166-461101-390000-6530	SA2022001 Other Purchased Svs	150000.00
2022001	4-3166-63166-461101-601300-6530	SA2022001 Ed & Rec Supplies	500000.00
2022001	4-3166-63166-461101-800100-6530	SA2022001 Machinery & Equip	225000.00
2022001	4-3166-63166-461101-800200-6530	SA2022001 Furniture	600000.00
2022001	4-3166-63166-461101-800550-6530	SA2022001 Mobile Classrooms	300000.00
2022001	4-3166-63166-461101-800605-6530	SA2022001 Construction	150000.00
2022001	4-3166-63166-461101-800700-6530	SA2022001 Tech Equipment	200000.00
2022001	3-5121-99000-333000-330055-9999	SA2022001 Grant SLFRF (ARP ACT)	21236071.00
2022001	4-5121-94000-499000-999999-9999	SA2022001 Grant Reserve	18236071.00
2022001	4-5121-99000-493000-934002-9999	SA2022001 Transfer to ABBA	3000000.00
2022001	3-4301-91097-351000-512104-9999	SA2022001 Transfer from ARPA Fund	3000000.00
2022001	4-4301-91097-491097-345700-9999	SA2022001 Grant SLFRF (ARP ACT)	3000000.00

Agenda Item No. 21. **Public Hearing: Designation of Routes 240 & 810 as Virginia Byways.** To receive comment on the proposed Virginia Byway designation for Routes 240 & 810. The Virginia Byway designation recognizes a road having relatively high aesthetic or cultural value, and leading to or within areas of historical, natural, or recreational significance. This designation may promote local tourism by providing an awareness of local significance and aesthetic opportunities regionally. A county with a proposed byway may choose to hold a public hearing on the proposed byway designation. On May 19, 2021, the Board authorized staff to hold a public hearing to receive public comments on the designation of Virginia Byway. A resolution of support from the Board of Supervisors will be needed for the Commonwealth Transportation Board to proceed with designation.

The Executive Summary forwarded to the Board states that a Virginia Byway designation recognizes a road having relatively high aesthetic or cultural value, and leading to or within areas of historical, natural, or recreational significance. This designation may promote local tourism by providing an awareness of local significance and aesthetic opportunities regionally. Following a January 2019 discussion, the Board directed staff to request a Virginia Byway Designation eligibility study for Route 240 in Albemarle County, from Route 250 through downtown Crozet, including the Historic District, to its intersection with Route 810 within Crozet; and of Route 810 within Crozet to the Greene County line. Attachment A provides the background for this recommendation and the program overall. The two routes include approximately 21 miles in western Albemarle County, as shown in Attachment B. At the southern end of these segments, US 250 is currently designated as a Virginia Byway. At the northern end, Greene County has proposed that Route 810 in Greene County also be designated. In January 2019, staff submitted a formal request to the Virginia Department of Transportation (VDOT) and the Virginia Department of Conservation and Recreation (DCR) to study and evaluate the routes for Virginia Byway designation.

In March 2021, VDOT and DCR collectively evaluated Routes 240 and 810 and recommended that the Commonwealth Transportation Board (CTB) designate these routes as Virginia Byways (Attachment C).

A county with a proposed byway may choose to hold a public hearing on the proposed byway designation.

On May 19, 2021, the Board authorized a public hearing on the designation of a Virginia Byway. A resolution of support from the Board will be needed for the CTB to proceed.

There are no budget impacts to the County from the proposed Virginia Byway designations.

At the conclusion of the public hearing, staff recommends that the Board adopt the attached Resolution (Attachment D) supporting Virginia Byway Designation of Routes 240 and 810.

Mr. Daniel Butch addressed the Board and stated that this was a public hearing to receive feedback on the proposed designations of Route 240 and 810 as Virginia Scenic Byways, which would connect to existing byways Route 250 and 614 in the County. He stated that on January 9, 2019, this was discussed with the Board, where they supported staff to request that the Department of Conservation and Recreation study these road segments. Mr. Butch explained that the Virginia Scenic Byway Program is managed by VDOT in partnership with DCR, and the designation encourages travel to scenic, historic, or recreational destinations and would support local economies and tourism.

Mr. Butch said that the proposed designation is consistent with the comprehensive plan to preserve scenic resources and designate eligible roads for scenic byways. He said that the byway designation does not impose any restrictions on private property, except for billboard restrictions, which are already restricted by County regulations. He noted that the primary purpose is to give formal recognition to a roads scenic, historic, and recreational values.

Mr. Butch reported that the proposal is found within the County's comp plan in the historic, cultural, and scenic resources chapter, which encourages pursuit of additional scenic road designations to promote tourism and maintain the visual quality of the County's scenic roads. He said that Route 810 is also identified in DCR's 2014 Virginia Outdoors Plan as a potential route to be evaluated for consideration as a Virginia Scenic Byway.

Mr. Butch said that portions of routes 250, 151, 6, 20, 53, 800, 601, and 614 are already currently designated as Virginia Scenic Byways, and Route 614 includes the bike route 76. He said that Albemarle also has national byways: Skyline Drive as a National Scenic Byway, and the Journey Through Hallowed Ground designation for Route 231, Route 20, Route 22, and Route 53. He said that Route 29 South, south of North Garden, is identified as a scenic road.

Mr. Butch stated that after the public hearing, staff recommends that the Board adopt the resolution in Attachment D, supporting the Virginia Byway designations of Route 240 and Route 810, which would then go to the CTB for approval.

Ms. Palmer commented that Garth Road is a scenic highway and has been a bike route, and over the past 10 years or so, property owners have put up screening trees along the road, which is developing a tunnel where there used to be views of the mountains, etc. She said that it was also causing the roads to get icy and not melt as quickly on the shaded areas. Ms. Palmer asked if there was ever any outreach to property owners to get them to pay attention to what they're planting on the side of the roads, given that it's a scenic byway.

Mr. Butch responded that DCR and VDOT have said that they can reevaluate currently designate scenic byways to see if they still keep the standards and regulations, which he did not believe had been done with the County's roads; from a maintenance standpoint for things like road icing, this could be raised with VDOT.

Ms. Palmer commented that she was not ready to do anything about it yet, but the road had changed quite a bit over the last several decades.

Mr. Gallaway asked if supervisors had questions.

Ms. Mallek thanked Mr. Butch for his work and said that this was an outgrowth of the work that counties around Shenandoah did with the Blue Ridge Heritage Project, and it links up with the trail and chimney project in Greene County also. She commented that she is very excited about this and looks forward to it proceeding.

Mr. Gallaway opened the public hearing.

There were no speakers, and he closed the hearing and placed the matter before the Board.

Ms. Mallek **moved** that the Board adopt the attached Resolution (Attachment D) supporting Virginia Byway Designation of Routes 240 and 810. Ms. McKeel **seconded** the motion.

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

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

**RESOLUTION SUPPORTING VIRGINIA BYWAY DESIGNATIONS
FOR ROUTES 240 AND 810**

WHEREAS, the Virginia Department of Conservation and Recreation and the Virginia Department of Transportation have determined that Route 240 in Albemarle County, from Route 250 through downtown Crozet, including the Historic District, to its intersection with Route 810 within Crozet; and Route 810 within Crozet to the Greene County line, qualify for designation as Virginia Byways; and

WHEREAS, these routes have a relatively high aesthetic or cultural value, leading to or within areas of historical or natural significance; and

WHEREAS, the designation of a Virginia Byway offers opportunities for tourism and economic benefits to localities; and

WHEREAS, the designation of a Virginia Byway does not affect land use controls and road improvements; and

WHEREAS, the Virginia Department of Conservation and Recreation and the Virginia Department of Transportation have expressed their support for the designation of these routes as Virginia Byways.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Albemarle County, Virginia, hereby supports Virginia Byway designations of Route 240 in Albemarle County, from Route 250 through downtown Crozet, including the Historic District, to its intersection with Route 810 within Crozet; and of Route 810 within Crozet to the Greene County line; and

BE IT FURTHER RESOLVED, that the Board of Supervisors of Albemarle County requests that the Commonwealth Transportation Board take all necessary actions to effect the designation of these routes as Virginia Byways.

Agenda Item No. 22. **Public Hearing: SP202100002 St. John Family Life and Fitness Center.**
PROJECT: SP202100002 St. John Family Life and Fitness Center
MAGISTERIAL DISTRICT: Rivanna
TAX MAP/PARCEL: 06600000007800
LOCATION: 1569 St John Rd, Gordonsville, VA, 22942
PROPOSAL: Special Use Permit request for a community center use. The community center will occupy an existing, historic 1,500 square foot building on a 6.10 acre parcel that also contains a church and cemetery.
PETITION: Community center use allowed by special use permit under Section 10.2.2.1 of the Zoning Ordinance. No new dwelling units proposed.
ZONING: RA Rural Area - agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots).

The Executive Summary forwarded to the Board states that at its meeting on May 18, 2021, the Planning Commission (PC) conducted a public hearing and voted unanimously (7:0) to recommend approval of the special use permit with the conditions stated in the staff report.

The Planning Commission's staff report, action letter, and minutes from the meeting are attached (Attachments A, B, and C, respectively).

The Planning Commission was supportive of the project and raised no issues or objections to the special use permit request. Brief discussion on the item included: whether the project would have outdoor interpretive signage or displays, an idea to establish an outdoor memorial patio, and whether restricting the community center use to Monday-Saturday was amenable to the applicant, acknowledging a possible need for special event space. The applicant confirmed that it was amenable to the condition restricting days of operation as proposed by staff, stating that the church building offers sufficient space and facilities to support such gatherings. Since the Planning Commission meeting, minor revisions have been made to the proposed conditions of approval, at the suggestion of the County Attorney's office.

No members of the public spoke during the public comment portion of the Planning Commission meeting.

With the Planning Commission's support of this application, staff recommends that the Board adopt the attached Resolution (Attachment D) to approve SP202100002 with the conditions attached thereto.

Ms. Mariah Gleason addressed the Board and stated that she would present this special use permit for a property located at 1569 St. John Road, on Tax Map Parcel 6678, located in the rural area approximately 0.6 miles south of Gordonsville Road and St. John Road. She said that parcels surrounding the property are generally used for residential and agriculture uses. She stated that there are two existing buildings on the 6.1-acre parcel, with the larger building to the north being St. John Baptist Church; directly behind the church is a small cemetery. Ms. Gleason said that the second building

on the property is a single-story frame building that is a historic Rosenwald School, with the building constructed around 1923 as a school for rural African American students, operating until 1954 when schools were desegregated.

Ms. Gleason stated that the applicant is requesting to adapt and use the school building as a local community center, and the building is approximately 1,500 square feet in size. She said that the applicant's narrative states that they plan to use the renovated space to offer an exercise room and display room with a library, computer, and museum to show the building's history. She stated that the building would also offer multiple meeting rooms for groups, classes, lectures, and workshops. She noted that the applicant is not proposing extensive external changes to the site to accommodate this use, but there would be some onsite improvements to make the proposed community center handicap accessible.

Ms. Gleason reported that during the review of the proposal, no outstanding concerns were identified by staff or members of the public. She said that staff found a number of favorable factors, including the restoration and preservation of a historically and culturally significant local building, and the proposed use would be a publicly accessible educational resource—both in illuminating history and in its ongoing provision of spaces, resources, and opportunities for learning. She noted that no unfavorable factors were identified.

Ms. Gleason stated that to preserve the favorable factors, staff recommends four conditions, and minor revisions were made to the proposed conditions of approval at the suggestion of the County Attorney's office. She said that the changes were not substantive and had amended language used to reference the applicant's conceptual plan. She noted that the applicant as previously indicated that they are agreeable to these conditions, and the proposal was considered by the Planning Commission at their May 18 meeting, when they voted unanimously to recommend approval of the proposal.

She concluded her presentation.

Mr. Gallaway left the meeting from 6:57 to 6:58 p.m., so Ms. Price led this portion of the meeting.

Ms. Price asked if supervisors had questions.

Ms. Palmer said she had no questions, and the proposal sounds wonderful.

Ms. McKeel said it was a great project, and she had no questions.

Ms. Mallek had no questions and expressed her thanks.

Ms. LaPisto-Kirtley stated that she was very excited for this proposal, and she just loved the project, adding that the people working on it were fantastic.

Ms. Price asked for the applicant to speak.

Mr. Jody Lahendro, the architect for the project, addressed the Board and shared his screen.

Ms. Becky Kinney addressed the Board as the applicant and thanked them for allowing her to present the project, stating that she is the president of the St. John Family Life and Fitness Center. She also introduced Pastor Hawkins, their vice president, and Kathy Johnston, stating that they were all part of the Building Goodness Foundation team. She stated that the center's mission is to provide physical, educational, and spiritual programs that will enhance the participants in living a better quality of life. She stated that the center would be located in the renovated elementary school building that was built in 1923, identified as one of 182 historic African American Rosenwald schools in Virginia and one of seven built in Albemarle County—and once renovated, the only one available for public use.

Ms. Kinney said that they would continue the legacy of education with education of the mind, body, and soul. She stated that St. John was established as a Virginia-approved nonprofit in June 2011 for the purpose of encouraging understanding about the early education for African Americans in the segregated south, and to transform this historical landmark into a health education, and community meeting center. She stated that the first goal is to restore and preserve the former historic school, which is where education began for the Cobham community's African American students. She commented that they were excited about restoring the center and having programs and services that everyone would be able to use, with the programs available to everyone. Ms. Kinney stated that visitors would be able to use the resource library and see the museum, while learning from the African American community.

Ms. Kinney reported that they had an eight-member board established in 2011 and received their 501 (c) 3 status that year, with a Virginia state highway marker in 2016. She stated that they installed a septic system in 2018 through private fundraising and a gift from Bama Works, administered through the Charlottesville Area Community Foundation. Ms. Kinney said that for phase two of the project, they have stabilized the foundation of the building with a \$75,000 civil rights grant from the federal government, with a matching grant from CACF for \$15,000. She stated that the building was listed on the National Register of Historic Places in 2019; in 2020, they were supported by the Building Goodness Foundation, which will assist in phase three, renovation of the interior. She added that on June 30, they received another grant from Bama Works for \$10,000 to make the building handicap accessible.

Ms. Kinney stated that the timeline is subject to availability of funds and approval of the special use permit, and they are waiting to hear from the federal government regarding a \$108,000 civil rights

grant, which will enable them to install the HVAC system, plumbing, electric, and a new well. She said that what's remaining is the carpentry work, and several donors have agreed to support that. She added that they should begin work on the renovations by the end of summer, if all of their funding aligns as expected, with completion of the project slated for fall of 2022.

Ms. Kathy Garstang of the Building Goodness Foundation addressed the Board and stated that the foundation has been a nonprofit for 20 years and does a variety of homeowners, nonprofits, and small businesses. She said that they created a nonprofit the previous year called "Cville Builds," and the St. John project contacted them for assistance. Ms. Garstang stated that the architect, engineers, and contractors have been on board and have been working for almost a year to make this possible.

Mr. Lahendro stated that St. John is one of about 5,000 schools built between 1922 and 1932 in the south, in an effort put together by Booker T. Washington and Julius Rosenwald. He said that in Virginia, about 380 schools were constructed, and about a third of those still remain. He said that the express purpose of building these schools was to educate African American children in the rural areas of the south, and it had a tremendous impact on the development of American culture and the advancement of African Americans in the United States.

Mr. Lahendro said that this school is one of seven Rosenwald schools in Albemarle County, five still exist, and this school is the only one on the National Register of Historic Places. He stated that the school was constructed in 1923 and served as a school until desegregation in 1954, at which point the building was converted to a residence.

Staff informed Mr. Lahendro that the applicant's presentation time had expired.

Ms. Price asked if there were questions from the applicant.

Ms. Palmer said that she had no questions and was sorry they didn't have time for Mr. Lahendro's presentation, but she hoped he would send the slides so Board members could review them in their own time.

Ms. McKeel said that she was hopeful there would be interpretive signs around the project to explain the building's importance.

Mr. Lahendro responded that they were planning to do that and already had the historic highway marking in front of the building, and they were also looking into lighting on the outside for signage.

Ms. McKeel thanked him and said it was a great project.

Ms. Price thanked the presenters, especially Ms. Kinney, for their conviction—as they had brought the building to life in a way that she didn't think anyone else could have. She said that the Board is thrilled with what they are doing, and she strongly supports the project.

Ms. Mallek said that she had no questions but truly appreciated all the work they were doing to bring the building back to life.

Ms. LaPisto-Kirtley thanked CVEC President Gary Wood, who would be providing free internet to the St. John building, which would be available in the building and the parking lot.

Mr. Gallaway asked the presenters to show the interior layout slides, noting that it might be of interest.

Mr. Lahendro stated that he was able to determine which walls had been put in by the former residents, noting that they would be removing those, as well as finishes done in the 1950s. He pointed out that they did have about 85% of the historic finishes still left in the building, so they would take away the later finishes and restore the interior, adding some walls for the new purposes that the community center would have. He mentioned that the walls were being designed so they complied with rehabilitation standards, and they would be compatible with the rest of the interior of the building, so they could tell what the two original classrooms were.

Mr. Lahendro stated that they have been able to eliminate a separate ramp in the initial plan but have been able to eliminate that based on topographic information and can now achieve a straight shot from the parking lot and the handicap space in the parking lot, directly to the finished-floor level at Vestibule B.

The Clerk confirmed that there was no one signed up to speak at the public hearing.

Ms. LaPisto-Kirtley **moved** that the Board adopt the attached Resolution (Attachment D) to approve SP202100002 with the conditions as presented. Ms. Mallek **seconded** the motion.

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

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

**RESOLUTION TO APPROVE
SP202100002 ST. JOHN FAMILY LIFE AND FITNESS CENTER**

WHEREAS, upon consideration of the staff report prepared for SP 202100002 St. John Family Life and Fitness Center and the attachments thereto, including staff's supporting analysis, the information presented at the public hearing, any comments received, and all of the factors relevant to the special use permit in Albemarle County Code §§ 18-10.2.2(1) and 18-33.8(A), the Albemarle County Board of Supervisors hereby finds that the proposed special use would:

1. not be a substantial detriment to adjacent parcels;
2. not change the character of the adjacent parcels and the nearby area;
3. be in harmony with the purpose and intent of the Zoning Ordinance, with the uses permitted by right in the Rural Areas district, with the provisions of § 18-5.1.04 and with the public health, safety, and general welfare (including equity); and
4. be consistent with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves SP 202100002 St. John Family Life and Fitness Center, subject to the conditions attached hereto.

* * *

SP202100002 St. John Family Life and Fitness Center Special Use Permit Conditions

1. Development of the use must be in general accord (as determined by the Director of Planning and the Zoning Administrator) with the exhibit identified on Sheet CD-1 of Attachment A-3 as "Site Parking Handicapped Accessible Route." To be in general accord with the exhibit, development must reflect the following essential major element:
 - Location of the building and structuresMinor modifications to the plan which do not conflict with the element above may be made to ensure compliance with the Zoning Ordinance.
2. Days of operation for the community center use are restricted to Monday through Saturday.
3. Changes to the building associated with the community center use must not result in the delisting from the National Register of Historic Places or the Virginia State Register.
4. The existing trees on the south property line adjacent to TMP 66-76 between the building associated with the community center use and St. John Road must be retained. Tree protection measures, subject to the approval of the Director of Planning, must be employed during construction.

Agenda Item No. 19. From the County Executive: Report on Matters Not Listed on the Agenda.

Mr. Richardson stated that he had one informal item for the Board, stating that the County had been working on reconstitution of County services and reopening the building, with doors opening on July 8, 2021 for both appointments and walk-ins. He said that he would present a full report on July 21, 2021 on some of the work happening in the organization and how it connects to the community.

Agenda Item No. 23. From the Board: Committee Reports and Matters Not Listed on the Agenda.

Ms. Palmer stated that she had several calls relating to the controversy that some people are having with the Critical Race Theory discussion, noting that the School Board has been working hard to communicate with constituents about that. She said that the schools' "Cultural and Responsive Teaching" had the same acronym, CRT, and she noticed that this was leading to some confusion on the part of the public.

Ms. McKeel said that she agreed with Ms. Palmer's point, and a School Board member had mentioned that Culturally Responsive Teaching is part of the instruction required by Virginia State Code, and the acronym is confusing for people. She also stated that she would like to have an update on the Community Remembrance Project in the future, such as the work on the Monacan Indian recognition and historical signage project.

Ms. Mallek stated that as they go forward and think about ways to best implement ARPA funds, she would like the County Executive to strategize about building a trust fund for that, if that was an appropriate thing to do this year.

Agenda Item No. 24. Adjourn to July 21, 2021, 1:00 p.m., electronic meeting pursuant to Ordinance No. 20-A(16).

At 7:23 p.m., the Board adjourned its meeting to July 21, 2021, 1:00 p.m., which would be an electronic meeting held pursuant to Ordinance No. 20-A(16); An Ordinance to Ensure the Continuity of

Government During the Covid-19 Disaster. Information on how to participate in the meeting will be posted on the Albemarle County website Board of Supervisors home page.

Chair

Approved by Board
Date: 05/03/2023 Initials: CKB