

A regular meeting of the Board of Supervisors of Albemarle County, Virginia, was held on April 7, 2021 at 1:00 p.m.

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

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 said the meeting was being held pursuant to and in compliance with Ordinance No. 20-A(16), "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 noted that Item 8.2, "SE202100002 Ivy Proper" would be pulled from the consent agenda and would be parked until after adoption of the consent agenda, as the applicant was requesting a deferral which the Board would need to take action on.

Mr. Gallaway said Item 8.3, "Stream Health Initiative Project Update" was also being pulled, and the Board would also address this item after addressing the consent agenda.

Mr. Gallaway said as a discussion item during Item No 22. "From the Board: Committee Reports and Matters Not Listed on the Agenda," Ms. Palmer asked for Community Development plans with regard to updating the County Code in tandem with the Comprehensive Plan.

Mr. Gallaway asked if there were any additional changes to make and heard none.

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

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

Ms. Mallek said March was Women's History Month, and she put in the chat some links provided by Assistant Secretary John Ward, who is the veterans liaison on the Workforce Board with her. She said Virginia has more women veterans than any other state at the country at over 163,000, and though she did not recognize them in March, it was better late than never.

Ms. Mallek said she loved the Stream Health presentation, which others may also speak to, that the Jouett 6th graders made. She said she was struck by the majority answer in the survey who did not know about the streams or quality of streams near their homes, and she thinks this is a great example of the challenge they all face with the Stream Health Initiative. She said from reading the Natural Heritage Committee report, her recommendation is for everyone to go to the James Streamside Program link in the NHC report, as one can see a property, all the different critical areas around it, and what needs work.

Ms. Mallek said Mr. Felix Sarfo-Kantanka from Dominion Energy sent a reminder for neighbors to call 811 before they dig. She said many people are planting trees in the spring, and so this is another important element in terms of finding out where utilities are before digging deep holes in one's yard. She said 811 is the number to call to get Miss Utility to come and mark the lines.

Ms. Mallek said the Virginia Small Business group is opening applications on April 8 for the Shuttered Venue Operations Grant. She said there would be lots of information out about that as well.

Ms. Mallek said Nelson County will be starting the eastern parking lot expansion at the Blue Ridge Tunnel on Monday, April 12. She said this will go for three weeks, so if one is visiting the tunnel during April, they should use the western portal parking and walk the trail there to go to the tunnel, as the eastern portal will be closed until this parking lot has increased in size.

Ms. LaPisto-Kirtley said she attended the presentation by Jack Jouett 8th graders on Stream Health, and she was very impressed and happy that Ms. McKeel provided the Supervisors this opportunity.

Ms. LaPisto-Kirtley said she is also working with a scouts small group and with the County to get some milkweed planted for the monarch butterflies. She said she already purchased about 1,000 seeds. She said the plants were not out yet as it was too early, but she was looking forward to this. She noted she used her own money to buy the seeds. She said she hopes to get a lot of milkweed planted around the County.

Ms. Price expressed her appreciation to Mr. Gary O'Connell, Albemarle County Service Authority, and Rivanna Water and Sewer Authority for the tour last week of a number of their facilities. She said what they do to ensure the County has clean, safe drinking water as well as proper disposition of sewage waste is critical. She said there is a lot they do and a lot of work that goes into maintaining those systems. She thanked Mr. O'Connell and all the staff members who took the time to help explain so much of their work.

Ms. McKeel said to add to what Ms. Mallek and Ms. LaPisto-Kirtley said, the Jouett presentations were wonderful. She said one exciting bit of news that came out of those presentations was that the public school system is very excited to work with the Board on litter and the litter campaign. She said the Board should be hearing more from the school system at some point once they figure out what the best approach would be.

Mr. Gallaway said he had people attend his Rio District townhall as well as the joint townhall with Ms. Mallek. He said there was follow-up and good conversations about the Rio Corridor and some budget items, and he thanked those who attended.

Mr. Gallaway noted that he would need to step away from the meeting that day at 4:00 p.m. for about an hour for a work meeting he needed to attend.

Agenda Item No. 6. Proclamations and Recognitions.

Item No. 6.a. Proclamation Recognizing Thomas Jefferson's Birthday.

Ms. Price **moved** to adopt the proclamation recognizing Thomas Jefferson's Birthday. Ms. McKeel **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

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

Ms. Siri Russell, Director of the Office of Equity and Inclusion, said that before introducing Ms. Cauline Yates, she wanted to thank the Board for their continued support of the Community Remembrance Project and underscore the Board's and organization's commitment to sharing an inclusive history and building shared understanding with the broad community.

Ms. Russell said it was with great pleasure she was able to introduce Ms. Cauline Mary Yates, II to the Board. She thanked Ms. Yates for her efforts to bridge the gaps of shared understanding in the community and for her service both as a member of the Committee for UVA's Memorial to Enslaved Laborers and for her work with the Getting Word project at Monticello. She said Ms. Yates was there representing herself.

Ms. Cauline Mary Yates, II thanked Ms. Russell, Mr. Gallaway, and the Board of Supervisors. She said she is Sally Hemmings' seventh-generation great niece. She accepted the proclamation for her ancestors who were the slaves at Monticello, and she asked that their legacy not be forgotten because without them, there would be no Albemarle County, no UVA, and no Monticello.

Ms. Price thanked Ms. Yates. She thanked the Board of Supervisors for a proclamation that addresses the totality of the complex history of the County, which recognizes the contributions that Thomas Jefferson made, identified by name, but which also recognizes the contributions of those unnamed thousands whose participation and work resulted in what they have today. She said she thinks it is a milestone for the Board to expand its recognition of all of the people who participated to the country.

Ms. Mallek said it was wonderful to see Ms. Yates. She thanked Ms. Yates, Jill, and all of her other contemporaries who have helped everyone learn so much. She said she grew up in the area and has learned more in the past 10 years than she had in the previous 60 years. She said she was grateful for everyone's efforts in that regard.

Ms. McKeel said she could not say it any better than how Ms. Price and Ms. Mallek just said it. She thanked Ms. Yates for attending and for all her work, adding that the Board looks forward to more.

Ms. Palmer said she could not say it any better than anyone else did. She said she has known Ms. Yates for so many years and did not realize her heritage. She said she has not been paying enough attention and needs to do so.

Ms. LaPisto-Kirtley said this was her first time meeting Ms. Yates, and it was a pleasure and honor. She said being a history buff, it was thrilling for her to meet a descendant of Sally Hemmings.

Mr. Gallaway thanked Ms. Russell. He thanked Ms. Yates for being with the Board that day to accept the proclamation.

Proclamation Recognizing Thomas Jefferson's Birthday

WHEREAS, Thomas Jefferson was born in Albemarle County on April 13, 1743; and

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, we want to commemorate Thomas Jefferson's birthday as the third president of the United States, the author of the Declaration of Independence and the Virginia Statue of Religious Freedom, and the father of the University of Virginia; and

WHEREAS, we want to express gratitude for the immense contributions Thomas Jefferson made to our community and to our country while also holding space for the harm he caused the Black community in Albemarle County, including the people enslaved at Monticello and elsewhere and their descendants; and

NOW, THEREFORE, BE IT PROCLAIMED, that we, the Albemarle County Board of Supervisors, do hereby recognize the vast and complex legacy of Thomas Jefferson and affirm our commitment to celebrating an inclusive history of our community.

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

Mr. Gary Grant said he hoped his cell phone call would not drop as it had three times before when he was on hold. He said CenturyLink did not have any Earlysville area service for internet or phone that afternoon. He said he is an Albemarle taxpayer from the Rio District.

Mr. Grant said as taxpayers, theirs is not to do or die but to ask why. He asked why it was that Albemarle's all-Democrat Board of Supervisors favors an FY 22 budget that takes 17% more money from County taxpayers than they took away from County taxpayers in FY 21. He asked why it was that the Board wanted to take taxpayers' hard-earned money and give it away to County Government employees in \$1,000 bonuses on top of their known job descriptions and accepted compensation when County Government employees did not lose jobs, hours, or pay during the pandemic like private-sector employees did.

Mr. Grant asked why the power to spend, rather than saving or refunding, taxpayers' money so appealing to Albemarle's all-Democrat Board of Supervisors. He asked why the Board favors taking some taxpayers' money to pay for other taxpayers' internet. He asked why the Board was whining about litter instead of doing something. He asked why they don't create a litter authority. He asked why they do not hide litter cameras on trees, fenceposts, and street signs where all six Supervisors walk and drive. He asked why they do not lobby for litter litigators within the Commonwealth Attorney's Office.

Mr. Grant asked why the all-Democrat Board of Supervisors refuses in their Climate Action Plan to outlaw open burning. He said the Board discusses in secret, during closed meetings, their policy of rules regarding comments and questions from the public. He asked why the Board never answers questions that are asked from the public, and he asked why they are only willing to listen to the public for no more than three minutes. He said he was mistaken that the taxpayers were supposed to keep asking why and rather, they should do nothing, shut up, and die.

Mr. Rex Linville, Piedmont Environmental Council (PEC) and resident of the Samuel Miller District, said Albemarle County has seen remarkable success in land conservation over the past 20 years. He said as a result of this success, they are the second most protected County in the Commonwealth of Virginia, with approximately 1,009 acres of private land that is permanently protected with conservation easements. He said this conservation easement success has been one of the most concrete ways that the Rural Area protection goals of the Albemarle County Comprehensive Plan have been realized and proactively implemented.

Mr. Linville said first and foremost, land conservation is made possible by private property owners who voluntarily protect their land to the benefit of future generations. He said it has also been made possible through collaborative efforts with entities like the PEC, Virginia Outdoors Foundation, Virginia Department of Forestry and, importantly, the Albemarle County Conservation Easement Authority and the County's conservation easement purchase program called the Acquisition of Conservation Easements (ACE).

Mr. Linville said the Albemarle County Conservation Easement Authority was created by Albemarle County back in 1989 and over the years, it has become the first choice conservation easement

holder for many landowners in Albemarle County. He said in fact, of the 12 conservation projects covering over 2,000 acres during the 2020 calendar year, all of them went to the Easement Authority.

Mr. Linville said as a result of this trend, the Easement Authority now holds easements on 186 properties covering over 28,000 acres, or about 25% of all the protected land in Albemarle County. He said the program has been a tremendous success, and it will be critical to the protection of Albemarle County for generations to come. He said in fact, Albemarle County is now running one of the most successful local land trusts in the Commonwealth of Virginia. He said as someone who has worked in the land conservation field for over 20 years and represents Virginia's land conservation community as a board member for the Virginia United Land Trust, he can easily say that the Albemarle Easement Authority is underfunded and understaffed.

Mr. Linville said the Easement Authority has approximately one-half of an FTE allocated to it, and in order to professionally monitor all the existing easements the County now holds and professionally meet the demand for new easements, he believes this should be expanded to at least two FTEs.

Mr. Linville noted that ACE is zeroed out in the FY 22 recommended budget. He said, at its height, this program had been funded with as much as \$1.6 million annually, and it leveraged significant state matching dollars. He said it has helped to protect almost 10,000 acres of farm and forest land in Albemarle County that simply would not have been protected without the County investment.

Mr. Linville said the ACE program and the Conservation Easement Authority are two programs that are vital to the future of Albemarle County. He said if the Board wishes to see a future where they actually meet their local climate goals, where residents have clean and adequate local water supply, and where they maintain their agricultural, forestal, and tourism industries, he would implore the Board to fully fund both of these programs and continue to be a conservation leader in the Commonwealth.

Mr. Gallaway closed Matters From the Public.

Agenda Item No. 8. Consent Agenda.

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

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

NAYS: None.

Item No. 8.1. Authorize a Public Hearing to consider Crozet Sports Community Foundation Lease for a Portion of the Crozet Library.

The Executive Summary forwarded to the Board states that the ground floor of the Crozet Library has two spaces for which the Jefferson-Madison Regional Library (JMRL) has no immediate use. On July 3, 2013, the Board directed staff to move forward offering leases for the spaces. At its September 4, 2013 meeting, the Board approved a lease with Crozet Running LLC for the larger of the two spaces (1,697 square feet). On July 31, 2020, the owners of Crozet Running LLC gave notice that they did not desire to renew their lease.

On December 10, 2020, staff solicited proposals for a new tenant, advertising the lease opportunity on the County's website, as well as in five regional newspapers. Submittals were due no later than January 11, 2021. Two proposals were received. A team comprised of staff from Community Development, Facilities and Environmental Services, and the Office of Economic Development evaluated the proposals. All ranked the Crozet Sports Community Foundation (CSCF), a non-profit offering athletic, academic, and child support programs, as their first choice.

The Office of Equity and Inclusion was also asked to review the proposals and identified no concerns. Subsequently, the proposed lease (Attachment A) was negotiated. The initial term is for five years, commencing June 1, 2021, after which it would automatically renew for additional one-year terms unless either party gave written notice of intent not to renew. The initial rental rate would be \$19.68 per square foot per year, which includes the cost of utilities and trash service. The rate would be indexed for inflation annually based on the Consumer Price Index. The proposed lease would also allow the Tenant rent-free occupancy from June 1, 2021 through June 30, 2021, to make certain improvements to ready the space for occupancy. This provision is consistent with past County practice.

Virginia Code § 15.2-1800 requires the Board hold a public hearing prior to the proposed conveyance.

With there being no charge for the first month's rent, this lease is expected to generate \$30,613.88 in the 11 months from July 1, 2021, through May 31, 2022, in its first year.

Staff recommends that the Board schedule a public hearing to receive comments from the public regarding the proposed lease between the County and the CSCF.

By the above-recorded vote, the Board approved scheduling a public hearing to receive comments from the public regarding the proposed lease between the County and the CSCF as

presented in Attachment A.

Item No. 8.4. Natural Heritage Committee Annual Report, **was received for information.**

Item No. 8.5. Board-to-Board, March 2021, a monthly report from the Albemarle County School Board to the Albemarle County Board of Supervisors, **was received for information.**

Item No. 8.2. SE202100002 Ivy Proper – Special Exception for Disturbance of Critical Slopes.

The Executive Summary forwarded to the Board states that The applicant is requesting a special exception to allow the disturbance of 5,515 square feet of critical slopes (slopes greater than 25% in the rural area). This request is associated with a final site plan that is currently under review - SDP202100001 Ivy Proper. The applicant's request is provided in Attachment A, which includes a map showing locations where critical slope disturbance would occur.

County Code § 18-4.2.3(b) and § 18-4.2.5(a) allow special exception(s) for the disturbance of critical slopes, provided the findings in § 18-4.2.5(a)(3) are made.

See Attachment B for staff's full analysis. Based on the findings therein, staff recommends approval of a special exception to disturb critical slopes, with the following conditions:

- The area of land disturbance on critical slopes must not exceed 5,515 square feet as described and shown in the request entitled "Ivy Proper Critical Slopes Waiver - Special Exception Request" prepared by Timmons Group and dated January 5, 2021.
- A geotechnical report and final retaining wall design drawings and calculations must be submitted and are subject to the review and approval of the County Engineer and Building Official prior to approval of the VSMP application. Wall stability analyses must consider the potential vibrational effects of the railroad.

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

Mr. Gallaway said this item had been pulled from the consent agenda, as the applicant requested a deferral until May 5. He asked Ms. Mariah Gleason if she had comments to make before taking comments or questions from the Board.

Ms. Mariah Gleason, Senior Planner with the Planning Division, said she is the lead reviewer for this special exception request

Mr. Gallaway asked if the applicant was making the deferral request to be able to work through some things with staff.

Ms. Gleason replied yes. She said the request was reviewed by staff with some concerns noted, so the applicant has requested deferral of consideration of the critical slopes waiver until the Board's meeting on May 5. She said she worked with the Clerk's Office to accommodate this request, should the Board allow the deferral.

Ms. Palmer said she wanted to make a correction. She said it was her request that the Board address this before passing it. She said her concern was that the critical slopes cut into the dirt that may have some supports of the railroad there. She said there were multiple qualifiers that Mr. Frank Pohl had put in, but he is currently out of town. She said it was decided that the best thing to do would be to pull the item, and the applicant was asked if this was okay with them, which it was.

Ms. Palmer said she added one more thing that she wanted to make sure Ms. Gleason knew about. She said when she tried to understand where the railroad easement ended and where the critical slope disturbances were going to start, she did notice a large pipe that is in the plans that seems to be draining Neves Lane. She said this property is actually accepting water from another property, and there was a considerable amount of erosion. She said before the Board were to pass this, she wanted to understand how the stormwater was being addressed in a heavy storm. She said she was quite surprised and actually could not see it last year when she went to the site because it was so overgrown.

Ms. Palmer said Ms. Mallek may have some words on this. She said it is a very small piece of property that has old commercial zoning, and they are wedging in a good-sized parking lot there, which staff has clearly worked through with the applicant and which she certainly respects. She said because of the number of qualifiers, however, she is very concerned that they are making the parking lot larger than it should be. She said she wanted to be clear that this request actually came from her rather than from the applicant, but the applicant certainly approved of this.

Ms. Mallek added her concern that the risk that is described over and over again in the staff report is resulting from a very large building and a very large parking improvement on a very small piece of property. She said this is why this land has been undeveloped for so long, as it cannot handle what is happening. She said the risk she sees is that this whole area was 2 feet deep in water on May 29, 2018.

She said it was so deep, the Duner's sign was not visible from the residence at the top of the hill. She said while it did not last for a long time, it was still a lot of water force.

Ms. Mallek said she has learned from over 50 years of living next to water that she has tremendous respect for the destructibility of this, and any kind of impingement upon the railroad embankment, despite what geotechnical guesses might be, if a building is built and then something awful happens, they have made an egregious error to approve something that will fail.

Ms. Mallek said these were all questions she wanted to ask Mr. Pohl, who was not there. She said she was very grateful for the postpone, but she did want to throw those ideas out there.

Ms. LaPisto-Kirtley said she supported this.

Ms. Price observed that when this item comes back, it may very well need to be on the action agenda rather than the consent agenda, given the concerns.

Ms. McKeel agreed with what had been said.

Mr. Gallaway asked staff if there was a game plan to address the concerns, noting that this sounded like it did likely need to be addressed as an action item.

Ms. Gleason thanked the Board for walking through their concerns, as she appreciated those notes. She said she worked with the Clerk's Office to put this as a regular agenda item for the Board's agenda on May 5. She said the applicant is open to that, and they will work in between to address concerns. She said the hope is that both Mr. Pohl and the project engineer on that proposal will be available for discussion. She said she plans to make this a very smooth process.

Mr. Gallaway said the Board would need to take official action.

Ms. Palmer **moved** to defer SE202100002 to May 5, 2021, at the applicant's request. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

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

Item No. 8.3. Stream Health Initiative Project Update, **was received for information.**

Mr. Gallaway said this item had also been pulled from the consent agenda and asked staff if they would like to speak first

Ms. Kim Biasioli, Natural Resources Manager in the Planning Division, said she was happy to answer any questions about the update report.

Mr. Gallaway asked which Supervisor had made the request to pull this item.

Ms. Mallek said she had asked a lot of questions via email, which were graciously and thoroughly answered by Ms. Biasioli, so she was not sure what else she had to say except that she is grateful this important project is being worked on.

Ms. Palmer said she appreciated the report. She said she had nearly gotten through all the meetings, which she thought were well done. She said she had also mentioned to the County Executive that her only concern was the timeline, that the first time the Board would be talking about this was their work session with the Planning Commission. She said she thought it might be beneficial for the Board to have an update on this publicly prior to the work session with the Planning Commission to make sure they are all together on what has been done before that. She said other than that, she was very appreciative of everything Ms. Biasioli has done.

Ms. Price said she supported what the other Supervisors said, and the one concern she always has when they talk about regulations is ensuring that they are looking at the best business practices and not necessarily one size fits all, and that they truly understand what the impacts of the regulations can be both as they protect water and as the County also works to allow its businesses, including agricultural and forestal, be able to conduct their business.

Ms. McKeel said she appreciated the report, and she thought it was a good idea that the Board would be discussing it as a group before going to the Planning Commission.

Mr. Gallaway thanked Ms. Biasioli for being present to receive questions and comments.

Ms. Biasioli thanked the Board for the comments and said she would work on getting this discussion on another agenda soon.

Mr. Gallaway asked Mr. Kamptner if this was purely information and that the Board did not need to take any action on this.

Mr. Kamptner said this was correct.

Agenda Item No. 9. Action Item: SE202100003 Homestay Special Exception Warren Mill.

The Executive Summary forwarded to the Board states that Pursuant to County Code § 18-5.1.48(i)(1)(ii), the applicant is requesting a special exception to reduce the 125' setback from the side property lines required by County Code 18-5.1.48(j)(1)(v) for a proposed homestay at 9810 Warren Ferry Road.

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

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

Ms. Rebecca Ragsdale, Principal Planner, said this is a homestay special exception for Warren Ferry and a request to reduce the required 125-foot setbacks. She said since there are two sets of regulations depending on whether a parcel is greater or less than 5 acres in size, staff likes to provide a quick recap of the zoning regulations that are applicable.

Ms. Ragsdale said the subject parcel is 11 acres, so rental of up to five guestrooms is allowed. She said the 125-foot setbacks apply to all property lines and parking. She said this property would also possibly be able to use accessory structures and have up to two homestays, although this has not been requested. She said all homestays are subject to the owner residing on the parcel and approval of the zoning clearance, which follows any special exception approvals where staff does the final verification of all the requirements (such as safety inspection and provision of an emergency contact notice to neighbors).

Ms. Ragsdale said there are several provisions for which a homestay could request a special exception, but in this case, there is only one request for the reduced setbacks to side property lines.

Ms. Ragsdale said as staff reviews these special exception requests, they are looking to see if there is any detriment to the abutting lot and if there would be any harm to public health, safety, or welfare in granting the special exception. She said the Board must act to approve, approve with conditions, or deny special exceptions.

Ms. Ragsdale said moving on to the specifics of the property, on the screen was a location map of the Warren Ferry area along the James River. She said the parcel was outlined in yellow, with the blue asterisk indicating where the structure generally is on the property. She said Ballinger Creek runs through the property to the south, and the James River is just across the railroad tracks to the south. She said the map also shows where the abutting parcels are as well as those people who were notified of the special exception request

Ms. Ragsdale presented an aerial view of the property and its surroundings, with the blue asterisk indicating where the structure is that is proposed for homestay rental. She said it is a dwelling that dates back to the 1700s and was a former gristmill. She indicated to Ballinger Creek. She said the property to the left on the screen is about 800 acres, across the creek in the woods, and it is under easement. She said the nearest neighbor was to the right on the screen. She said also on the property is an accessory structure, which is to the right, across the fenced-in courtyard from the gristmill.

Ms. Ragsdale presented another exhibit of the property, which showed the entrances and the location of parking, as well as the screening areas. She said the neighbor to the northeast is who staff heard from and who the Board received an email from in terms of concerns. She said staff heard from that property owner earlier in the review process and went to the property to look at the homestay from their vantage point. She said the primary concerns have been related to any rental of the cottage, which is the structure to the northeast from the homestay structure.

Ms. Ragsdale said the homestay operator was brought to staff's attention through their proactive homestay compliance program, so it is a property that has been operating without the appropriate homestay permits for a couple of years now. She said the neighbor has had some experience with what that operation is like. She said the approval of the special exception would be one step towards compliance.

Ms. Ragsdale said as noted in the staff report, there is some screening along the property line. She said in between the property line with the neighbor is a parcel that is owned by the railroad. She said there is also screening and buffering along the creek property line.

Ms. Ragsdale said she mentioned neighbor comments earlier. She said staff did have some discussion with them, and the summary in the staff report was that there was not a blanket objection to the homestay, but the neighbors did want to bring to staff's attention some of the concerns that had been addressed by their neighbors and some of the limitations they thought would be appropriate if the homestay were approved, one of which is that the accessory structure (also referred to as the "carriage house") would not be used for homestay rental, which is a recommended condition for approval. She said events should not be allowed on the property as this is prohibited by the ordinance.

Ms. Ragsdale said after staff had written the staff report, a suggestion came in on April 6 in terms

of comments from the neighbor that there be a limit to the total number of guests that could rent the property. She said this had not been a condition that staff included in their recommendation, as the ordinance does not have any limitations on guest occupancy.

Ms. Ragsdale said the last suggestion from the neighbor was regarding enhancement of that screening along the property line on the homestay property that is nearest to the neighbor. She said when she went on the neighbor's property, she could see where it needed to be supplemented to screen the parking. She said the accessory structure is visible, but this would not be used by homestay guests.

Ms. Ragsdale said she would switch back to presenting the layout of the property. She said given these characteristics in terms of where the guest structure is located and the accessory structure forming a natural screen from the courtyard and guest areas, with the addition of parking screening, staff did recommend approval of this homestay, with the three conditions mentioned in terms of where guests and parking areas will be limited, and where the screening will need to be enhanced. She offered to answer questions from the Board.

Ms. Mallek asked if the owner resides in the accessory structure when there are guests in the mill.

Ms. Ragsdale replied yes. She said there is finished space in that structure where they stay during guest rental.

Ms. Mallek asked Ms. Ragsdale if staff is requiring them to thicken up the buffer.

Ms. Ragsdale replied yes.

Ms. LaPisto-Kirtley asked if the grist house is where everyone would be staying and is up to five rooms, and if staff is not approving the other accessory dwelling for this to be rented out for any reason at any time.

Ms. Ragsdale said this was correct.

Ms. LaPisto-Kirtley asked if staff is requiring additional buffering.

Ms. Ragsdale replied yes.

Ms. LaPisto-Kirtley asked of what sort.

Ms. Ragsdale replied that in this case, it would likely be supplemental evergreen plantings, since there is some mixed vegetation there. She said the applicant could choose to meet that requirement with landscaping or a fence.

Ms. Palmer said the staff report indicated that the zero setback was given for a farm building in 1998. She said at some point, this went from a farm building to a human dwelling. She asked if there was ever any permitting done or a building permit for the finishing out of the farm building to make it habitable.

Ms. Ragsdale replied that in the variance from 1988, when it was granted for an accessory structure, was so it could be any permitted for any accessory use. She said they do not have a permit on record that she could find to convert it to a dwelling. She said the applicant would certainly be allowed to use it as an accessory structure, which can include bonus space, but it cannot be a dwelling. She said this is something staff will be addressing with their compliance effort for this property.

Ms. Palmer said there are plans, then, to address that. She asked Ms. Ragsdale if she could explain how this is addressed.

Ms. Ragsdale replied that it is another potential zoning violation staff discovered based on property research. She said initially, they were looking at the property because of their homestay program, and having a property listed as a homestay is what flags it in the service staff is using to find the listings. She said in visiting these properties, they often find that things have been done without a permit, and they have to ask people to address it as part of their compliance efforts.

Ms. Palmer said there is a history, then, on this property of not complying with zoning regulations in addition to the homestay staff found when they were conducting their search for homestays that are not registered. She said she was just noting that if a property owner has been doing this already, her concern is that the Board grants this and then at some point, the owner decides to rent both of them. She said unless the neighbor starts to complain, the Board will not know about it. She asked Ms. Ragsdale if this was correct.

Ms. Ragsdale replied that staff has its homestay search service through the end of 2021 and without the proactive program and service, they do fall back on the complaint-driven process. She said in terms of that structure, she still needs to go back and look at the records further to make sure she did not miss a building permit. She said things going back to the 1980s are not always that easy to find. She said this was a different property owner at that time in terms of the conversion from a farm building to what it is now.

Ms. Palmer said the neighbor asked about not allowing any large family reunions, and she was wondering if the neighbor knows what the County's definition of a large family reunion would be. She asked if this would be an event and how many people the owner could have for a family reunion without triggering any kind of event violation.

Ms. Ragsdale replied that the ordinance limits any sort of celebrations strictly to homestay guests, so one cannot bring in other visitors to the property as a guest. She said staff added this clarification when they updated the homestay regulations in August of 2019.

Ms. Palmer asked if when staff provides the next-door neighbor with the letter informing them about the homestay, they supply the neighbor with a list of the dos and don'ts of this ordinance.

Ms. Ragsdale replied that staff refers the neighbor to the County's website for more information, as a start, and they encourage them to contact staff to go over the regulations. She said staff does not, however, send an attachment of the zoning regulations when they send the letter.

Ms. Palmer said she knows the County is getting better with its internet in some of the rural areas, hopefully, but she thinks this is something they should consider. She said she did not know how other Board members would feel about that. She said she was also wondering how well the County is communicating. She said this individual either took a while to engage, as Ms. Ragsdale said in the report that the letters were sent out on February 19, and it is now April that it is coming to the Board. She said there has been plenty of time, but the Board just received the email yesterday.

Ms. Ragsdale said she would clarify. She said the notice was out, and staff was contacted in plenty of time in advance of writing the staff report. She said she had prior emails from the property owner, and staff went out right away to meet with the property owner on the property to see it from their perspective and to go over all of the regulations. She said she believed it was a matter of until the neighbor saw the staff report and how it was being presented to the Board, she then sent her final comments. She said the neighbor wanted to be there that day to speak directly to the item, but she had a scheduling conflict that she could not get around.

Ms. Ragsdale said this is how it worked in this case, and staff was open to suggestions, but she did not want Ms. Palmer to get the impression that staff did not hear about this until the very last minute. She said this varies in that staff sometimes sends these notices and does not hear anything, and sometimes they hear some concerns. She said this is the case with any of their other notifications they do for special exceptions, major home occupations, or any of the others. She said this has been staff's experience.

Ms. Palmer said what she was concerned about was making sure that the abutting owners, especially when there has been a history of problems and the neighbors are expressing concerns, that they understand all the things they can call the County for to report a violation if they are having problems. She said she did not know how others felt about this or how onerous it would be, but it is something to consider. She said as long as they get the screening up and are sure that this accessory structure is not used as a homestay, she is okay with it. She said Ms. Ragsdale did a nice job.

Ms. Price said she would follow up on the thread that Ms. Palmer started. She said she first appreciated Ms. Ragsdale differentiating that the transition of this structure to an accessory structure occurred under the ownership of a different person than the applicant before the Board at present because had it been the same person at that time and now having compliance issues with this, she would have even stronger concerns than she did.

Ms. Price said she is concerned that the applicant did not come to the County to tell them that they were engaged in this enterprise and that the County had to take affirmative action to identify them. She said this raises concerns with her. She encouraged the County to continue the service that is being utilized that allows them to identify individuals who are engaged in businesses without the appropriate licensing or permits.

Ms. Price said in that regard, she wanted to know if there are any outstanding fees or other matters over the couple of years that the individuals have engaged in this and have not paid their license fees. She asked if for example, now that they know this has been going on for a couple of years, they require the property owner to pay back the fees that were due for the years that they had not done it, as well as paying any taxes that they would be responsible for. She asked if the County does this and if this property owner has met those obligations.

Ms. Ragsdale replied yes. She said the compliance program that is underway includes finance. She said as the Board may recall when they started this, they had the packet and meetings where they went into great detail about all the taxes or licensing requirements. She said in some cases, when staff contacts people, they may be able to take care of things right away with Finance, but things in staff's department take longer because they have to schedule special exceptions. She said she sent her a spreadsheet of the taxes and days that the applicant had rented rooms last year. She said the short answer was that this is indeed part of the program.

Ms. Ragsdale said when the Board has its work session in June to talk about big-picture, comprehensive matters, Finance will be part of that, so staff can let the Board know how that is going. She said it is definitely part of the process. She said they do not use the same terminology as far as notices of violation, but there is the equivalent of that when people do not respond to them. She said

statutory assessments happen, and this is also going on parallel to the zoning compliance efforts.

Ms. Price said it was not to be difficult, but the words “they” and “them” did not help her know who Ms. Ragsdale was talking about. She said when Ms. Ragsdale said “they sent this to me,” she did not know if she meant the property owner or Finance.

Ms. Ragsdale said that she had meant the applicant.

Ms. Price said the applicant, then, sent Ms. Ragsdale the spreadsheet. She said she wanted to know if the applicant has paid what they owed before the Board considered approving this application.

Ms. Ragsdale replied that to her knowledge, she could not answer that as she had not checked on it before the meeting. She said she could certainly follow up with Finance that day on that. She said the applicant will have to do this, and she believed they were in good standing, but she did not double-check.

Ms. Price said when the applicant or property owner comes into compliance and pays back those fees, she assumes that they also must pay some sort of interest charge or penalty associated with that, much like if one does not pay their taxes or any other bill on time, they would then have interest due.

Ms. Ragsdale replied that there is interest.

Ms. Price said her understanding is that while the applicant could have up to two homestays on this property, they are not requesting that the cottage be approved, so the only thing the Board was dealing with that day (if they approve it) is the waiver of the 125-foot setback. She said if the applicant wanted to have the other structure used as a homestay, they would have to submit another application. She asked if this was correct.

Ms. Ragsdale replied yes.

Ms. Price said she believed those were all her questions. She said at the moment, she had concerns about approving this until she knows that compliance has been fully met and that all fees have been paid.

Ms. McKeel said she appreciated the report, and the due diligence Ms. Ragsdale spends when she goes out to these properties and looks thoroughly and carefully through the right lens as she evaluates them. She said she wanted to comment that she would like to have an opportunity as a Board member to discuss the service because she would be very much in favor of continuing to fund the service. She said when Ms. Ragsdale talks about losing the service in December, she becomes concerned, but this was another issue they could come back to in June when they discuss the homestays in general.

Ms. McKeel said she, too, was concerned about the lack of compliance. She said in her mind, she was going to where she believed Ms. Price had gone, and perhaps Ms. Palmer to some degree. She asked if, aside from the penalties coming into compliance, the County would require that whatever the screening might be have to be in place before the applicant starts using this homestay. She said she was trying to figure out what the regulations, process, or policies might be if they are requiring screening, but they come back in six months and there is no screening.

Ms. Ragsdale replied that she could answer that.

Ms. McKeel said she apologized if she missed it in the report.

Ms. Ragsdale said she supposed it was not so much listed in the report. She said the special exception is the first step in being able to have the homestay because they do not meet the 125-foot requirement, and then the zoning clearance process is the final approval where staff can verify that the screening is in place. She said they will verify that the screening is in place before they approve it, and she can also verify with Finance that the applicant has paid all of their taxes. She said this happens before staff officially approves the use.

Ms. Ragsdale said the property is not listed right now as far as offering any more guestrooms for rent. She said people usually take down their listings after staff talks to them. She said although some don't, this one has, and staff can check on those things.

Mr. Kamptner asked Ms. Ragsdale if she could clarify the third condition because she spoke as though there was some supplemental screening that is to come. He said the way he has read that condition, however, is that it is an either/or – they either maintain what is already there, or they install the screening that gets them into compliance with that section of the Zoning Ordinance. He asked if they need to supplement the screening that is there now.

Ms. Ragsdale replied yes.

Mr. Kamptner said he supposed the “or” in the third line of Condition 3, then, in the clause “or equivalent screening” should be changed to “and screening that meets the minimum requirements.”

Ms. Ragsdale said she would leave this to Mr. Kamptner to wordsmith.

Mr. Kamptner asked if this was what staff was recommending.

Ms. Ragsdale replied that in her mind, the existing screening needed to be enhanced. She said the requirement is that the screening be there and, in this case, it needs to be enhanced. She said this is the condition staff has used in many of their other homestays.

Mr. Kamptner said this was the first one he recalled where there was existing screening, and it was discussed in terms of there also being more screening added. He said picking up on line 3, he would suggest "...maintained, and screening must be added that meets the minimum requirements of County Code..." in the noted section and "...must be maintained."

Ms. McKeel said this was a great catch by Mr. Kamptner. She told Ms. Ragsdale that since she was seeing this and given the history of the owners and the question about whether or not they are current on what they owe the County, perhaps this could come back to the Board after Mr. Kamptner has had a chance to straighten out this language about screening, and after Ms. Ragsdale has had a chance to check about the other matters. She said perhaps it could come back on the consent agenda. She said at this point, she believed she felt a bit uncomfortable with approving this at this time.

Ms. Ragsdale said okay.

Ms. McKeel said this was just a thought, and they could see how other Board members felt.

Mr. Gallaway asked if there were any objections to this suggestion, and he heard none. He concurred that based on what was stated about the addition to the screening versus the wording in Condition 3, this was not clear.

Ms. McKeel said after Mr. Kamptner tightens this up and Ms. Ragsdale knows everything has been taken care of in the way of fines, it could come back on the consent agenda, as long as this worked for Ms. Palmer since this was in her district.

Mr. Gallaway said he did not hear any objections. He asked Mr. Kamptner if the Board needed to do anything that day.

Mr. Kamptner said one thing he had been scrambling to look for is the fact that they do require the payment of delinquent taxes and other charges as part of the application process, but staff could confirm this for the Board when it does come back. He said a motion to defer was fine, and they could bring it back as soon as practical.

Ms. LaPisto-Kirtley said since it looked as if this would be deferred, there was something Ms. Palmer had brought up as far as sending a notice out. She said she wondered how burdensome this would be on staff if they sent out a notice on what has been approved, once it is approved, just to those who have been complaining.

Ms. LaPisto-Kirtley said in other words, if a neighbor has no complaints about the homestay with conditions, but if there is a neighbor that does have complaints (such as in this case), she wondered what would be wrong about sending the approval that is sent to the homeowners to the people who have complained, with the same wording. She asked if this would be burdensome. She said this would be as opposed to them reading all the regulations, and they would be reading what is applicable to this homestay.

Ms. Ragsdale replied that she supposed staff would have to talk about this. She said something they verify before issuing the final zoning clearance is that the applicant or homestay operator is responsible for sending an emergency contact notice to their abutting properties so if something arises, then the neighbor can contact them. She said in this case, the neighbor had been contacting them when she did have issues. She said this was something staff could think about.

Ms. Ragsdale said when she thinks about homestays, there are times where she prefers to fall back on being consistent with other processes staff has for other types of applications, though they know that the homestay program they are in now is new and different. She said she would like to discuss the idea with the Zoning Administrator and the rest of the staff. She said they can follow up with the Board on this when this item comes back or the next time they have a homestay special exception. She said there were not any scheduled exceptions in May, aside from this one, but there would be some in June, along with the work session.

Ms. LaPisto-Kirtley said usually with a homestay that someone has objected to, this is where the County most likely finds out that there are violations, when the neighbor complains. She said the neighbor should know, in this case, if the accessory cottage is approved for stays or not.

Ms. Ragsdale said she certainly follows up with people directly, but if the Board wished to add something to the process, staff would like to think about that further.

Ms. LaPisto-Kirtley said she did not want to make things burdensome, but practical.

Ms. Mallek said she had lots of threads regarding the old conversion from 30 years ago, and she asked if there is now an opportunity in the process to have a thorough inspection of this property to make

sure it meets building code. She said a lot of it has changed since 1988 and if they are having guest accommodations, this is different in a way in responsibility than a person living there themselves. She said she wants to make sure this is done in some fashion.

Ms. Mallek said she agreed with others who talked about providing more specific information to the neighbors. She said she has fussed for years about the burden that the County Government in general, over all different departments, puts on neighbors for enforcement. She said the County does not necessarily have an alternative, but it is a necessary evil they have right now. She said providing the detail to the neighbors is very important so that they know the specifics for this particular property.

Ms. Mallek said she understands staff's desire to have consistency, but if someone has almost lost the right for consistency because they did not comply, that should put them in a different category as far as notice and having to work their way out of that. She said several years ago, when there was a new understanding of the finance rules, there were people renting cottages who had to pay five years' worth of license fees and 10% interest. She said she assumed this was the same timeframe here, when people have businesses and licenses and do not do that. She said when staff comes back to the Board with other information, she wanted to add those two categories to the list of questions.

Ms. Ragsdale said staff needed to work on the wording for the third condition and get information about tax compliance. She said they know there is the outstanding issue related to the accessory structure that they will be addressing. She said when she says they will be addressing that, she means that staff will make sure the applicant is getting the proper permits for whatever work was done if they had not for the accessory structure, as staff has identified that as another potential violation. She said the homestay structures themselves where guests are staying always get a safety inspection, and staff always verifies that they meet the applicable building code as part of the process already.

Ms. Mallek said if the accessory structure has to be habitable in order for the resident family to be there onsite to meet the ordinances, then it seems like that is an important building to have up to code.

Ms. Ragsdale agreed, noting that it is part of the process.

Ms. Palmer said she thinks it is a great idea to keep up the service in some way because these homestays will continue to occur, and they do go with the property (not with the owner). She said as properties change hands over the years, uses are liable to change or expand without the understanding of adjacent and new property owners as to what the rules are. She said could make a motion for deferral when ready.

Ms. Price said she supported the deferral. She said she thinks the process questions can be handled separately in a work session, and she would provide her thoughts on that separately via email.

Ms. McKeel said she supported the deferral, and that Ms. Ragsdale was getting a sense of some of the things the Board will want to talk about when they come back in June or whatever the timeline is.

Mr. Kamptner said to correct himself, it appeared that special exceptions are the one type of land use application where, by ordinance, the County does not require the payment of taxes in order for the application to be processed.

Ms. McKeel expressed her surprise.

Ms. Mallek asked if this also includes back taxes and everything.

Mr. Kamptner replied that they do not require this by ordinance, and he supposed that special exceptions were originally such minor types of applications that they were not included with this requirement. He said this particular section of the County Code was being amended and that they could fix that.

Ms. Price said while they may not require it by ordinance, she believed the authority of the Board allows them to require it as part of the approval process on any application that comes before them.

Mr. Frances MacCall said he was going to say this exact thing – that perhaps a condition could be added as a fourth condition that this be a qualification.

Ms. Palmer asked if before she makes the motion, if the Board wanted to make this a qualification, or if they wanted to see if they paid or not. She asked what will happen if they have not paid.

Ms. Price and Ms. McKeel expressed they wanted this as a qualification.

Mr. Gallaway said he was not opposed to those saying "qualification," but he believed the first step was to first find out the answer, and then when it comes back to the Board, they can know and make all the decisions when they take action.

Ms. Palmer said it would just be deferring again if it comes back on the consent agenda, which was why she asked.

Ms. Palmer **moved** to defer SE202100003 indefinitely until the wording and payment of fees are

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

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

Mr. Gallaway noted that from a procedural standpoint, when there are presentations on the screen, he cannot see all of attendees and when he can see the attendees, he cannot see the presentation. He asked that if someone has a question or comment out of turn, including if staff has requests, they put these requests in the chat. He said he can see the chat and keep it open, and this makes it easier to make sure he does not miss anyone.

Agenda Item No. 10. Action Item: SE202100006 Homestay Special Exception Georgetown Way.

The Executive Summary forwarded to the Board states that Pursuant to County Code § 18-5.1.48(i)(1)(ii), the applicant is requesting a special exception to reduce the 125-foot setbacks required by County Code 18-5.1.48(j)(1)(v) to 87 feet +/- from the front property line on Georgetown Way, to 100 feet +/- from the southeastern property line, and to 118 feet +/- from the northwestern property line for an existing homestay use at 1819 Milton Road.

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

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

Mr. Gallaway said in the interest of time, he would note that this item is one that would have normally made its way to the consent agenda, but from a procedural piece did not. He said there was not any reason other than that. He said when it was brought to the Board's attention, the agenda was already released, so they just decided to leave it as an action item rather than make all the iterations to change the agenda. He asked if Ms. Lea Brumfield would be presenting this one, noting that he did not see her.

Ms. Emily Kilroy said she did not see Ms. Brumfield in the meeting and that she would try to reach out to her.

Mr. Gallaway said his understanding was that Ms. Brumfield would be available to give a brief overview. He said the intent was that this was supposed to go to the consent agenda, but it was put on the agenda as an action item. He said rather than going through all the iterations, the Board would just treat it as an action item and move on since the agenda was already published by the time it was caught. He asked Mr. Frances MacCall and Ms. Ragsdale if one of them would be able to speak to this instead.

Mr. MacCall replied that he did not have many of the notes in front of him on this particular item, but Ms. Brumfield was supposed to give the presentation just like any other homestay special exception.

Ms. Kilroy said Ms. Brumfield would be joining momentarily.

Mr. Richardson said while they were waiting on the speaker, he believed a Supervisor had her hand up.

Ms. McKeel said as the Supervisor of record for this particular homestay special exception, she thought it was coming back on the consent agenda, and she felt very comfortable with it as long as they approve it with the recommendations that staff made.

Mr. Gallaway said this would hopefully help in terms of the amount of time they spend on the item.

Ms. McKeel said this could perhaps speed them along because she had no concerns about the item and has been there two or three times.

Mr. Gallaway said since it was an action item, they would do a brief overview and probably move through it quickly.

Ms. Brumfield apologized and said she had been stuck in the waiting room due to confusion between her personal Zoom account versus the County account.

Ms. Brumfield said this was a special exception in the Rural Area on a 2.23-acre parcel. She said this type of special exception is normally on the consent agenda, but the process for requests had not yet been finalized.

Ms. Brumfield said homestays like the subject parcel are limited to two guestrooms, a 125-foot setback, and onsite parking. She said neighbor notice is required as well as the normal requirements for special exceptions.

Ms. Brumfield said that for smaller RA parcels, four types of special exceptions may be requested. She said this applicant is only requesting the special exception to reduce setbacks. She said they are going from 125 feet on all parcel boundaries to 87 feet on the front, 100 feet on the southeast, and 118 on the northwest property boundaries.

Ms. Brumfield said homestay special exceptions may be granted, permitted there is no detriment to abutting lot, and there is no harm to the public safety, health, or welfare. She said this particular property is in a unique situation where there is unlikely to be any kind of detriment to abutting parcels. She said three of the parcel's sides are on dense residential zoning, and the entrance to the parcel faces Georgetown Veterinary Hospital, a special exception granted commercial use in the Rural Area zoning. She said the closest residence directly north, 255 Georgetown Way, also submitted a letter of support for this application.

Ms. Brumfield said all sides of the property do feature vegetative screening, and the sides on other residential or rural parcels also have a 6-foot wooden fence. She said staff received two inquiries from neighbors regarding the nature of the homestay, but none of the inquiries that were received were concerned in any way, nor did they express any kind of opposition to the special exception. She said rather, they just wanted to know what is a homestay and what is permitted.

Ms. Brumfield said as such, staff recommends approval of the special exception with conditions related to parking and guestroom numbers and maintenance of the existing screening. She said these are the standard conditions they have requested previously in other similar applications.

There were no questions or comments from the Supervisors.

Ms. McKeel **moved** to adopt the resolution in Attachment F to approve the special exception with the conditions contained therein. Ms. LaPisto-Kirtley **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

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

RESOLUTION TO APPROVE SPECIAL EXCEPTION FOR SE2021-00006 GEORGETOWN WAY HOMESTAY

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

* * *

SE2021-00006 Georgetown Way Homestay Conditions

1. Parking for homestay guests is limited to the existing parking areas, as depicted on the Parking and House Location Exhibit dated March 15, 2021.
2. Homestay rental is limited to two guest rooms located within the existing house, as depicted on the Parking and House Location Exhibit dated March 15, 2021.
3. The existing screening, as depicted on the Parking and House Location Exhibit dated March 15, 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.

Agenda Item No. 11. Work Session: Crozet Master Plan Update – Draft Land Use Chapter.

The Executive Summary forwarded to the Board states that the Board of Supervisors directed staff to begin updating the Crozet Master Plan on September 4, 2019. At that time, the Board endorsed a four-phased public participation process detailed in Attachment A and summarized below. The project timeline has been revised from the original scope to accommodate project delays due to COVID-19 and other factors. An updated timeline for each phase is provided below.

- Phase 1: Community Visioning (Q4 2019)
- Phase 2: Focus Areas & Design Strategies (Q1 2020 - Q3 2020)
- Phase 3: Recommendations (Q3 2020 - Q1 2021)
- Phase 4: Plan Draft, Review and Adoption (Q2 2021 - Q3 2021)

The draft Land Use Chapter is the first deliverable of Phase 4. Subsequent chapters will cover topics of Conservation, Transportation, and Implementation.

The draft Land Use Chapter (Attachment B) was developed through an iterative engagement process using the community feedback loop identified on Attachment A. Staff received community and stakeholder feedback during the first three phases of the Master Plan update through in-person workshops in 2019 and early 2020, online questionnaires, virtual Community Advisory Committee (CAC) meetings, and two

Planning Commission work sessions. Staff acknowledges that community engagement has deviated from the Public Participation Process as originally endorsed by the Board in September, 2019. Specifically, the inability to hold in-person community meetings due to pandemic restrictions lead to the significant utilization of virtual meetings of the CCAC as an efficient alternative. A revised Work & Engagement Plan was provided to the Board in July, 2020 reflecting these pandemic-related impacts.

Page 3 of Attachment C shows the progression of the land use content through each project phase.

Attachment B also includes a comprehensive summary of the input that staff has received to-date to inform project deliverables throughout the project. There will continue to be additional community engagement during Phase 4, including the opportunities for community members to review each draft chapter and provide feedback.

Staff is seeking Board response to the following questions:

- Is the draft Land Use Chapter consistent with the County's Comprehensive Plan and Strategic Plan Goals?
- Does the Board have any feedback or suggested revisions to content of the draft Land Use Chapter?

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

Staff recommends the Board provide direction on the Discussion questions related to the draft Land Use Chapter (Attachment A).

Ms. Rachel Falkenstein, Planning Manager, said the purpose of the work session was for staff to check in with the Board on the draft land use chapter of the Crozet Master Plan update. She said it was an opportunity for staff to share the land use content before they proceed with the remaining chapters of the master plan. She said before they begin identifying implementation measures to support the land use plan, staff thought it would be a good opportunity to check in and hear feedback.

Ms. Falkenstein said staff had two questions for the Board. She said the first was, "Is the draft chapter consistent with the County's Comprehensive Plan and Strategic Plan goals?" She said the second was, "Does the Board have any feedback or suggested revisions to the draft content?"

Ms. Falkenstein said the agenda included about 20 minutes of presentation to cover, an overview of the engagement, feedback, and process to develop the draft land use chapter, and a presentation by Ms. Tori Kanellopoulos of some of the content of the draft land use chapter, a brief summary of the changes from 2010, and the remaining time for Board Q&A and discussion.

Ms. Falkenstein said she would go through some of the engagement and the process staff went through to develop the content they shared with the Board in the advance materials. She said the timeline on the screen should look familiar to the Board. She said the Board directed staff to begin updating the Crozet Master Plan on September 4 of 2019, and staff outlined a four-phase process to update the master plan. She noted that since that time, the project timeline has been revised from the original scope, which was mostly to accommodate project delays, especially due to COVID-19, and having to shift their engagement approach.

Ms. Falkenstein said in the next portion of the presentation, she would talk through each of the phases in more detail. She said the timeline showed a high-level overview of each phase, with Phase 1 being the community visioning stage of the master plan update, and Phase 2 being focused on talking about focus area and design strategies for the land use plan and developing the first draft land use plan. She said Phase 3 was draft recommendations, where staff further refined the draft land use plan and had some specific recommendations developed. She said Phase 4, which is where they currently are, is the plan drafting, review, and adoption portion of the project.

Ms. Falkenstein said she would go through each of the phases in more detail. She said the purpose of Phase 1 was a visioning exercise to look at the guiding principles for the Crozet Master Plan. She said staff looked at the 2010 principles and updated those based on the feedback heard in this phase. She said they had several engagement opportunities and, as seen in the photos on the screen, they were in-person at the time and had some large workshops that were well-attended, as well as some smaller events. She said they mirrored their content online through all of these phases, even before they were entirely virtual.

Ms. Falkenstein said the feedback shown on the slide was high-level in terms of the feedback themes heard in each phase. She said if the Board were to look at the advance materials staff shared in Attachment C, they could see a more detail summary of this feedback.

Ms. Falkenstein said Phase 1 feedback included some themes that carried through the entire update process including a desire for a variety of housing types and affordability, importance of scale and form and that new development be compatible with existing neighborhoods and adjacent development, and concerns about concurrency of infrastructure and keeping up with growth. She said staff then started to develop some high-level patterns of development that the community wanted to see. She said they

heard a strong focus on wanting more growth downtown and not around the periphery.

Ms. Falkenstein said the deliverable from Phase 1 was an updated guiding principle, as shown on the next slide. She said there were five supporting goals, and they identified a couple of focus area topics and themes that they looked at in more detail in Phase 2.

Ms. Falkenstein said in terms of the updating guiding principles, the 2010 Crozet Master Plan had a vision statement and seven guiding principles. She said in the 2021 update, staff is recommending four guiding principles, or one for each chapter of the plan (land use, transportation, conservation, and implementation). She said each guiding principle will have supporting goals and actionable recommendations.

Ms. Falkenstein presented the 2010 vision on the slide. She said on the next slide, the Board would see there are two guiding principles from 2010 that talk about land use topics. She said the 2021 draft guiding principle was shown on the right side. She said she would not read these in detail, but the Board would see that staff tried to pull forward the themes from 2010. She said a lot of the content is retained, but the wording and format is slightly different.

Ms. Falkenstein said after staff completed Phase 1, they moved onto Phase 2, where they started some focus area discussions and design strategies. She said the purpose was to start to address some of the challenges heard in that first phase and think about how land use could support that guiding principle they had identified.

Ms. Falkenstein said for Phase 2 engagement opportunities, they started off in person, had some workshops, and then had to transition to all-virtual due to COVID-19. She said they had to pause the project for a bit while they figured out how to do virtual meetings and engagement for this specific project. She said they began hosting virtual workshops with the Crozet Community Advisory Committee (CAC) at their monthly meeting, which began in June during this phase.

Ms. Falkenstein said for Phase 2, staff also rolled out their first draft future land use plan. She said the summary of content that was brought forward in this first draft included a proposed Downtown Neighborhoods Overlay. She said this was a concept staff was looking at for neighborhoods around downtown, which was shown on red on the map on the slide, in the center. She said for some of the neighborhoods around downtown where potential redevelopment would occur, staff was recommending an overlay to talk about appropriate scales of redevelopment that could happen in those areas.

Ms. Falkenstein said staff is also starting to look at some parcel-specific changes, and greenspace parcels was a theme they started to look at. She said by greenspace parcels, she meant those parcels that were designated entirely as greenspace in 2010 that did not have significant environmental features on them and that actually had development potential that could be an update in the 2010 master plan. She said staff started to look at those with this draft land use plan.

Ms. Falkenstein said staff also tried to bring forward some changes that would bring this land use plan more consistent with existing zoning and other master plans that have recently been updated. She said there are some changes to the land use categories' names.

Ms. Falkenstein presented a more zoomed-in version of the future land use plan, noting that one could see the Downtown Neighborhoods Overlay in a faint blue line, with the centers identified as well, which was another theme staff pulled from this phase.

Ms. Falkenstein said in terms of the feedback summary from this phase, some of the themes were continued from Phase 1. She said there was support for smaller housing types, but not large apartments. She said there was still concern about infrastructure concurrency and additional density, especially as they started to talk about some of the specific changes.

Ms. Falkenstein said there was a Planning Commission work session during Phase 2 where staff brought forward the concept of a new Middle Density Residential category. She said they had not yet applied this to the map, but it was something staff was thinking about with the first bullet on the slide about the community wanting smaller housing types and not large apartments. She said staff thought there could be a new land use category that could accommodate those smaller housing types and have the appropriate densities applied. She said the Planning Commission supported this and wanted to see it applied to the land use map.

Ms. Falkenstein said staff also shared with the Planning Commission the downtown neighborhoods overlay concept. She said the Commission liked the idea but had some concerns as well, and they shared those with staff. She said staff went back to the drawing board and made a couple of changes.

Ms. Falkenstein said this took them to Phase 3, and they were all-virtual with their engagement in this phase. She said there were several virtual CAC work sessions, and there were questionnaires (called workshops) online about the content. She said the purpose of Phase 3 was continuing to refine the strategies from Phase 2 and the land use map based on the feedback.

Ms. Falkenstein said in Phase 3, staff developed a second draft of the future land use plan where they applied their new Middle Density Residential land use category. She said they did some parcel changes specific to a property called White Gate Farm. She said there were some changes to Old Trail,

with Block 26 being one of those, and there was some additional refinement of greenspace parcels. She said Ms. Kanellopoulos would speak to those three topics in more detail when she gets to the draft chapter.

Ms. Falkenstein presented a zoom-in of the map, noting that although it looked similar, there were some minor changes compared to the previous version. She said the middle density residential land use was applied and shown in light orange.

Ms. Falkenstein said with regard to feedback from Phase 3, some of the themes were continued through this phase as well. She said the CAC also had a meeting where they went through all of the list of changes that staff had proposed and took votes on them. She said the votes were listed in Attachment C so that the Board could see how the CAC voted on each topic.

Ms. Falkenstein said the CAC voted against the majority of the proposed changes, and a couple of the concerns that they and other members of the community shared were listed in the bullets on the slide. She said they felt that for the Middle Density Residential, which was at the time proposed for 24 units per acre, the density was too high and that it should not be applied to certain properties, especially White Gate Farm. She said people felt that the Downtown Neighborhoods Overlay was too broad and needed more specifics, and they did not want it applied to an area called Pleasant Green.

Ms. Falkenstein said there was support for some of the changes in Old Trail, but concerns specifically for Block 26, which Ms. Kanellopoulos would talk about in more detail. She said there were some concerns about changes made to some specific greenspace parcels and additional development potential added, mostly in line with the existing zoning.

Ms. Falkenstein said there was also a second Planning Commission work session in Phase 3 in which the Commission shared their support for Middle Density Residential but wanted a couple of revisions, especially around the density number. She said they did recommend staff apply the green systems to only current and planned open space or environmental features and buffers, so they had support for that approach that staff had taken on several parcels. She said the Commission shared their support for the land use designations as staff applied them to Old Trail, but they had some mixed feedback about an adjustment to the Development Area boundary around Old Trail. She said staff had made a small adjustment just to include the clubhouse because previously, the boundary had cut right through the middle of the clubhouse.

Ms. Falkenstein said she would turn it over to Ms. Kanellopoulos so that she could walk through some of the changes in the current draft that were attached to the Board's document.

Ms. Tori Kanellopoulos said she would be covering the draft land use chapter, which was also included as Attachment B. She said staff is now in Phase 4 of the master plan update, which includes drafting and reviewing each chapter, and then final adoption of the entire plan. She said staff presented an overview of this draft land use chapter to the Crozet CAC on March 10, and there was then a virtual workshop using public input with opportunities to provide general overview comments or comments on specific text or maps in the plan. She said this workshop was open from March 22 until April 5.

Ms. Kanellopoulos said the purpose of this phase is to continue to incorporate feedback on the draft recommendations and develop the final land use chapter. She said this will include work sessions with the Planning Commission and Board, continued community engagement for further refinement, and feedback to finalize the chapter and its recommendations.

Ms. Kanellopoulos said 32 community members participated in the public input virtual workshop, and 10 community members provided online comments on the draft chapter directly. She said additionally, there were 26 community members that provided emailed comments to staff. She said this feedback included support for the revised Middle Density Residential land use category and for affordable housing in Crozet. She said there were also comments on the concern of increased density and the need for concurrent infrastructure improvements. She said there was a significant number of comments about Block 26 in Old Trail Village, including a letter from the HOA.

Ms. Kanellopoulos said based on the feedback from the previous phases from the community and from the Planning Commission, staff drafted the land use chapter. She said this chapter include an overview and background; guiding principles, goals, and recommendations specific to land use; the draft future land use plan, which she would cover in more detail on the slides to follow; the recommended uses and form for future land use typologies in the centers and districts; and other areas of importance including Crozet Avenue and Route 250. She said there were also some formatting changes to align with other updated master plans.

Ms. Kanellopoulos said based on the feedback from these previous phases, staff has included a third draft of the future land use plan with this draft chapter. She said the major revisions include a second draft of the Middle Density Residential land use category, which has been revised from a maximum recommended density of 24 units per acre up to 18 units per acre if missing middle housing types are provided.

Ms. Kanellopoulos said Urban Density has been revised to 12 to 34 units per acre and only applies to Blocks 20 and 21 in Old Trail, which are the apartment blocks. She said the Downtown Neighborhoods Overlay has been removed and instead is included as a text recommendation in the chapter for a downtown neighborhoods architectural and natural resources study. She said the green

systems designation is now consistently applied throughout all of Crozet. She said in Old Trail Village, Block 19 is now hatch-designated Neighborhood Density and Institutional, and the Development Area boundary has been adjusted. She said she would talk about all of those changes in more detail.

Ms. Kanellopoulos presented a larger version of the draft land use plan, which showed the changes. She said she could return to that slide later in the discussion for reference, if helpful.

Ms. Kanellopoulos said the main change for the second draft was reducing the maximum recommended density and providing two density ranges to encourage the provision of missing middle housing types. She said the category now recommends a range of 6 to 12 units per acre, and then up to 18 units per acre if additional affordable or small-scale housing types (e.g., bungalow courts, tiny houses) are provided. She said in the appendix of the chapter, there is additional guidance that is being drafted on the recommended housing types and form for this category.

Ms. Kanellopoulos said the map on the screen highlighted where the Middle Density category has been applied in Crozet. She said this category was applied to all areas previously designated Urban Density Residential, except for Blocks 20 and 21 in Old Trail, which will remain Urban Density. She said most of these areas are already developed or have existing development approval. She said there are two undeveloped areas where the category was applied. She said the first is the Old Dominion property along Three Notched Road, by Parkview Drive, and the second is the White Gate Farm property between Park Ridge Drive in the Wickham Pond neighborhood.

Ms. Kanellopoulos said the Old Dominion property in the 2010 plan was designated Urban Density and Neighborhood Density, and so the Middle Density is replacing that Urban Density area on the property. She said the White Gate Farm property was designated all Greenspace in the 2010 plan and is now shown with a split Middle Density/Neighborhood Density designation, with Green Systems applied just to the environmental features, which is consistent with the adjacent Wickham Pond neighborhood to the eaSt

Ms. Kanellopoulos said in the 2010 master plan, there is one greenspace category, which was applied to private and public land. She said based on feedback from the community and the Planning Commission, and to provide more accurate expectations for community members and property owners about how land can be used, and to be more consistent with other master plan updates, staff has revised this category into two categories and applied it consistently in Crozet.

Ms. Kanellopoulos said the first category is Green Systems, and these designations are applied to environmental features such as steep slopes and screen buffers, visual landscape buffers, and land planned for private open space.

Ms. Kanellopoulos said the second green category is Public Land, and this category is applied to existing and proposed County-owned parks, trails, and other publicly owned land such as natural areas.

Ms. Kanellopoulos said the map on the slide showed that there is still a significant green network throughout all of Crozet. She said most of these parcels were updated to reflect the underlying by-right development potential based on existing zoning. She said these are properties not planned for nor intended to be parks or natural areas.

Ms. Kanellopoulos said the next map highlighted the properties that were designated as entirely greenspace in the 2010 Crozet Master Plan that are not publicly owned, not entirely restricted by environmental features, and not planned as open space.

Ms. Kanellopoulos said the next map showed the additional properties that had their greenspace designation revised in order to more accurately reflect existing development potential based on existing zoning and better align with updated mapping of these environmental features that they have available.

Ms. Kanellopoulos said since the second draft of the future land use plan, there were a couple of additional changes to Old Trail Village that Ms. Falkenstein covered as well. She said with the exception of Block 19, all of the changes in Old Trail are intended to reflect currently approved densities and uses based on the approved code of development. She said there are ranges within future land use categories, and they are trying to reflect those densities and uses as best as possible.

Ms. Kanellopoulos said the Development Area boundary on the western edge was adjusted to include the entire restaurant and clubhouse, as they were previously cut off by the other boundary. She said they are both on public utilities, and the same future land use category of Green Systems is applied.

Ms. Kanellopoulos said Block 19 is split-designated Neighborhood Density/Institutional. She said the current zoning for the Old Trail Code of Development allows between 12 and 90 residential dwelling units, and the hatched institutional portion of the designation would support a potential sports facility request, while the Neighborhood Density portion would support the underlying approved residential zoning.

Ms. Kanellopoulos said staff heard feedback from the community that institutional uses could be appropriate in this location, especially adjacent to the school's site, but there was concern about allowing other types of uses (such as commercial uses) in that location.

Ms. Kanellopoulos said Blocks 10, 22, and 32 are now designated Middle Density instead of

Neighborhood Density to better reflect the approved densities allowed in those blocks.

Ms. Kanellopoulos said the final Old Trail topic was Block 26, which is located in the central area near the “V” on the map (for village center).

Ms. Kanellopoulos said the next slide showed a table of a comparison, starting on the left, of the existing approved zoning, the current future land use designation of Urban Density in the 2010 plan, and the revised recommended designation of Community Mixed Use. She said that while Block 26 was shown on the previous land use draft as Community Mixed Use, staff wanted to cover this in more detail because they still heard a lot of feedback about this block during Phase 4 engagement, mainly around recommended height of density. She said that while no future land use category is a perfect fit for zoning, the Community Mixed Use designation better aligns with the approved densities, uses, and forms for Block 26 when compared to Urban Density.

Ms. Kanellopoulos said that per the approved zoning, Block 26 allows between 20 and 150 dwelling units, including single-family attached and detached and apartments. She said the zoning for this block allows a maximum building height of up to four stories, or 60 feet. She said the zoning for this block allows up to 20,000 square feet of commercial, retail, office, and other nonresidential uses. She said this is the range of allowed density of uses in the block, but it is ultimately up to the property owner to choose what is built on the site based on the parameters of their approved zoning.

Ms. Falkenstein said she would conclude the presentation by providing a brief summary of some of the changes that were made from the adopted 2010 master plan. She said staff would classify the majority of the overall changes as cleanup-related changes that attempt to bring the document into greater consistency with other County master plans and with existing zonings.

Ms. Falkenstein said staff has attempted to achieve alignment between existing zoning and what can be built today on properties and the future land use to set appropriate expectations about future use of developable land. She said they are also trying to achieve greater consistency with other County master plans and the land use recommendations within those to improve understanding and clarity for all users; applicants, staff, community members, and decision makers.

Ms. Falkenstein said the overall growth projections between the 2010 and the draft 2021 plans remain very similar. She said the draft plan does not add significant additional development potential on vacant properties or areas where staff expects any significant redevelopment.

Ms. Falkenstein said staff hopes this plan is a reflection of the overall feedback heard during the master plan engagement process and the desire they have heard from the community to keep Crozet's small-town identity and not to encourage significant growth, but also to provide additional housing choices and affordability on areas where remaining development potential exists. She said where new growth is recommended, staff tried to provide guidance for that growth to be appropriate in scale and supportive of the guiding principles and goals.

Ms. Falkenstein said the slide she would conclude with showed a side-by-side comparison of the 2010 future land use plan and the draft 2021 future land use plan. She said the Board would see that the development patterns are carried forward in the draft 2021 plan. She said this screen was not intended to give a parcel-by-parcel list of changes, but so that the Board could see the overall pattern of development has carried forward from 2010. She said most properties are retaining the same or similar land uses. She said a significant green network is retained in the draft plan. She said commercial mixed-use centers of activity are carried forward.

Ms. Falkenstein said the surrounding land uses and existing neighborhoods continue to be predominantly designated for the yellow color shown, which was Neighborhood Density Residential, and areas of Neighborhood Density Residential – Low, which is the lighter yellow color on the periphery of some of the Development Area.

Ms. Falkenstein said this concluded staff's presentation, and she would again put up the two questions to the Board on the screen. She said the first was, “Is the draft chapter consistent with the County's Comprehensive Plan and Strategic Plan goals?” and the second was, “Does the Board have any feedback or suggested revisions to the draft content?” She said she and Ms. Kanellopoulos were available to answer any questions about the draft content.

Ms. Mallek said this was a lot of information, even for the sixth or seventh time through. She commended Ms. Falkenstein, Ms. Kanellopoulos, and the entire department for their effort, understanding, and listening in a very challenging circumstance where there is a community where lots of people go back ten generations. She said they dig in very well on what is going on.

Ms. Mallek said she had a couple of questions so that the Board, as a whole, understands where some of the issues have been. She said one thing to point out that she supposed had been with the Crozet Master Plan all along is that their description of “urban density” was 6 to 12. She said this threw them down a tunnel at the beginning because then, this new middle density seemed to be so much bigger, and this led to discussion and remastering on that. She said she thinks they are really getting there now, and she loves the benefits of the overlay if it could be very narrowly defined. She said she understands coming back and doing it in the narrative approach that staff has suggested, however.

Ms. Mallek said at some point, she would love to know what the timetable is for the downtown

studies that were recommended instead of the overlay. She said this was something staff could tell the Board about when they have it figured out, and she thinks people will want to know before they move to the approval stage.

Ms. Mallek said from what she understands about Block 26, everyone in the surrounding area at Old Trail is very devoted to the code of development that exists, and where they perceive the concern is that the asterisk that says one can go to five stories when the code of development says four raises issues of uncertainty for them. She said Mr. Dave Brockman said if they take the asterisk away, it takes it away from everywhere else in the growth and master plans, but perhaps they can figure out a way to address that. She said she thinks Block 26 is the only place where that certain zoning would exist in the Crozet Master Plan, anyway, and maybe that also impacts the typologies for the other six areas, though she did not know the answer to that.

Ms. Mallek said the greenspace redefinition is wonderful. She said to be able to take out the concrete, the critical things, and all the hands-off, no-growth areas to clearly put them out there is really important for people to know. She said the only pushback she heard was from actual owners in those areas saying they do not want to be upsold. She said she thinks staff heard this very clearly, and she hopes it is still the core of the way it has been described. She said it is very complicated for her, and probably others as well, to understand how all these units and densities come out, and she thinks the uncertainty is out there. She said it is almost a leap of faith they have to have, but they are still trying to ask as many questions as possible.

Ms. Mallek said the people pushed back on having higher density because being on the southern end of the Growth Area and having Rural across the street, they felt that is where they belonged.

Ms. Mallek said there was lots of support for the revised Middle Density and coming down to the White Gate and Old Dominion areas, in changing the description of those to Middle Density, she wanted to know how that impacts the changes in the units that could be put there.

Ms. Mallek said Old Dominion in particular is north of Route 240 and it is really only by fluke in the Growth Area at all. She said there is a perception that it is very high density and packed with townhouses, and it is not downtown. She said there are no sidewalks and nothing to get people from a highly dense area there. She said if there are ways to describe what it would have been under the current zoning and master plan versus what it will be, having that understanding would be very helpful.

Ms. Mallek said everyone is completely charmed by the idea of the Bamboo Grove small houses and developments, and this is really what people want to see for infill. She said they are very concerned about having great, big buildings and a monster massing that basically sets up a cascade and wipes out a lot of older, affordable, small houses that have been there for a couple of generations, at least.

Ms. Mallek said staff may not have some the answers to her questions that day, and she would look forward to getting them later. She said one more item she had for the list was that she has not yet received an answer on what is happening to Cathaross Lane. She said this is rural, and there was a proposal to make it high density or Neighborhood Density when it is in the floodplain and in the middle between the constructive wetland and Lickinghole Basin. She said she knows the owners are processing conservation easement on that property. She thanked staff and said the presentation was well done.

Ms. LaPisto-Kirtley thanked staff for the presentation, noting that there was a lot of information there. She said regarding going up to five stories that Ms. Mallek mentioned, she knew that everyone would be against that and yet, she hears from developers that this is the way to get more affordable housing if they go up to five or six stories. She said she was not proposing that but posing the question that the more they reduce or have restrictions, especially in height in certain areas, she wonders how this will affect the area for affordable housing.

Ms. LaPisto-Kirtley said this is not just true for Crozet, but for all the other five districts. She said it was "put up or shut up" because everyone wants small, wonderful houses, but this is not realistic if they have an affordable housing plan and need to have affordable rentals. She said they have to go up at some point, and her question is if this would hamper that. She said she has seen before in Pantops or the Rivanna Village Master Plan, where there was a statement that there cannot be increased density unless they widen Route 250, which they all know is problematic and it is not known whether or not VDOT will ever do that.

Ms. LaPisto-Kirtley said she is leery of putting in too many restrictions that they cannot get out of that people will then hammer the County with, saying that it is in there and they cannot do that, and then they are stuck. She said it was not so much a question than it was a problem.

Ms. Palmer said she loved the maps that Ms. Falkenstein showed that had the parts that were changed highlighted, but she did not see those in the Board's packet, and she was not sure if she missed them. She said this would be very helpful in order for her to understand everything that was presented. She said if staff could send those, she would appreciate that.

Ms. Palmer said she was very happy to hear Ms. Mallek saying that the greenspace worked out fine because she could not follow that very well in the presentation to make sure that the properties that were designated as greenspace that had building potential, because they were privately owned, were removed or properly designated. She asked if this was the case.

Ms. Falkenstein replied that these were previously developable properties that did not have environmental features, were not designated open space, or were not designated for future parks that were in a greenspace designation. She said many of them had existing zoning that would have allowed development on them, so staff made an update to scale back the greenspace designation to only those types of features, either slopes and floodplain or parks and designated open space.

Ms. Palmer said this is always a concern because people see on the map that it is supposed to be a greenspace and is privately owned and then, people come in and start screaming about it. She said she was glad to hear that this had gone away. She asked how staff felt about the level of greenspace now in the Crozet Master Plan, given the potential buildout.

Ms. Falkenstein replied that, if looking at the 2010 and 2021 maps side by side, one can still see that the green network is retained. She said there are quite a few streams in Crozet, so there is quite a bit of land that is in floodplain or stream buffer that has great tree cover already. She said this is being carried forward in 2021. She said there are also nice park spaces and publicly owned properties that are retaining in the greenspace designation as well.

Ms. Palmer said when she was looking at it, she wanted to see more, but if Ms. Falkenstein was comfortable with it and since Ms. Mallek has been going through the process with the community, she suspects they are comfortable with it, too. She said she knows they have some great trails. She said she is okay with what has happened, but she would like to see those maps so that she can sit down and better understand the changes that have taken place.

Ms. Price thanked Ms. Falkenstein, Ms. Kanellopoulos, and everyone who has worked on this. She said she wanted to recognize and appreciate the tremendous effort that has gone into this. She said she had some concerns, however, which she would attempt to articulate.

Ms. Price said when she looks at what the Supervisors and the County do, she thinks most of what they do falls under the better-best category, not necessarily right or wrong, but better-best. She said one choice may be better than another, neither of which is particularly wrong. She said overlaying that, she believes, is a consideration of what she calls "right and wrong aspects."

Ms. Price said perhaps she missed it, and she would invite anyone to help her better understand it. She said her concern as she looks at the overall master plan is that there may have been, almost to the point of exclusion, the better-best consideration without thinking of some of the right-wrong aspects. She said the reason she raises it this way is that she is concerned about not only the "missing middle" of housing, but also the affordability for lower-income residents who may have the desire to move out to this area. She said she understands that people may not be in favor of large apartment complexes. She said she was not necessarily pushing for this.

Ms. Price asked staff what defines a "bungalow" or what it consists of. She said she had a sense of what a tiny home was. She said she did not necessarily see either of those, however, as being housing for families. She said when she hears talk about bungalow courts or tiny houses, this does not strike her as what would be a family housing situation.

Ms. Price said she would make a few more comments before leaving it with staff. She said she thinks they want to look at both housing choices and affordability, but she does not necessarily see some of this as being equitable, and her concern is the continuation through land use of the disparate housing reality for many of the community members who may want to live in this particular area. She said it is the middle and lower component of housing that she is concerned with as they look at the master plan, which is different from how they may look at individual proposals that come up.

Mr. Gallaway asked staff if they had a reaction or response now or later.

Ms. Falkenstein said she could answer the question about the definition of bungalow courts. She said looking at Attachment B of the staff report, page 29 has some information about what a bungalow court consists of. She said these unit types are one to two stories, with a unit size of up to 1,200 square feet. She said the defining feature of these is that they are situated around a common amenity space and either do not have individual lots, or they have very small individual lots. She said this helps with the affordability component in that they do not have to meet minimum lot requirements or necessarily have to have street frontage requirements.

Ms. Price asked about the tiny homes.

Ms. Falkenstein said tiny homes are up to 400 square feet, and this is actually a building code definition that comes from the state building code. She said tiny homes have different building standards because of their size.

Ms. Price said she appreciated the inclusion of that, but it struck her that this was about the only part of the affordable, and one cannot raise a family in a tiny home. She said her first home was 1,000 square feet with three bedrooms and two baths. She said her concern was if there will be a sufficient quantity of this type of housing for the middle- and lower-income community members.

Ms. McKeel said she was impressed with the work staff has done over the past couple of years, even through the pandemic, when they reached out to people to get this done. She said she appreciated the presentation that day, and she probably had not followed this work as carefully as she should have

over the months because she was not attending all the CAC meetings.

Ms. McKeel said she wanted to piggyback on what Ms. Price said. She said she is concerned that this plan continues the County's use of land and the disparities between what they say they want and what they are actually getting. She said with the missing middle affordable housing, she did not think this was encouraging affordability. She said it is setting them up to have one Development Area very different than other Development Areas. She said she has a lot of concerns, and she does not think that the developers can provide affordability given some of what is being required here.

Ms. McKeel said she was really glad to talk about the greenspace. She said she thinks the tree canopies are wonderful. She said when the Board gets to some of their other Development Areas that are perhaps more built out already, she would love to see how they can get at the greenspace and tree cover for the older urban neighborhoods that would like these greenspaces as well. She said she would like for staff to start thinking about that as they are coming back to those areas.

Ms. McKeel said Ms. LaPisto-Kirtley spoke to her concern a bit as well in terms of the height restrictions. She said she thinks these reduce the ability to have affordable housing and density. She said she was not sure what the answer was to all of this, but she did know that the County already has it documented that they are not going to allow Route 250 West to be widened, so they hear complaints about traffic, but they say they are not allowing 250 West to be widened at all. She said she was not saying she wanted it widened but that they have some structural challenges in this area around density and traffic and how they solve these problems.

Ms. McKeel said she is not an expert, but she is concerned that they are creating very different Development Areas. She said the Crozet area is not reaching out for a portion of the community to be able to live there with affordability.

Ms. McKeel said she also wanted to bring up another concern that had nothing to do with the density. She said she was a little surprised when she heard that the Crozet CAC was actually voting. She said it caused her to go and look and, in fact, it is stated for the CACs that while advisory committees are not required to take votes, they certainly can on specific issues. She said the Board had this discussion, as Ms. Mallek would remember, some time ago about CACs voting. She said she has been operating with the understanding and telling her CAC that they are providing input that is advisory by nature, and they are really not supposed to be voting on issues.

Ms. McKeel said staff has been saying that there is more training that is needed for the CACs and that they will run more people through training. She said this would be a concern of hers that they are all operating under the same guidelines and understanding on what guidelines the CACs operate under. She said this was not a discussion for that day and just a comment.

Mr. Gallaway said to piggyback on that comment, in the materials for the March 10, 2021 CCAC, he would mention the third bullet point under the Middle Density Residential topic. He said he was tracking that topic, as it stood out to him, and the third bullet point says, "Comment that MDR concept was already voted on and decided." He asked what the "and decided" meant. He expressed he understood that the CCAC was taking votes, but it is all advisory and informational, so the vote would be about what the members thoughts were on the matter. He said there were no decisions being made, and it was not legislative.

Mr. Gallaway asked if the "and decided" was included without any thought on the vote, or if this was trying to communicate to the Board that some decision had been made that was carrying a different weight. He said perhaps he was getting too far down into the weeds, but he hoped that anyone who is participating on any CAC understands that the vote is advisory. He said just because one votes a certain way does not mean that staff, the Planning Commission, or the Board are obligated to follow that other than taking the input.

Mr. Gallaway said the conversation that is happening out in Crozet is obviously a countywide one that is happening in the Development Area in the Urban Ring as well. He asked what they do about growth, density, and the infrastructure that is currently in place, whether it supports or does not support it. He said they have seen it play out on Route 250 East with a recent application, a conversation around Parkway Place, and what will be a conversation about projects that come forward to the Board up 29 North.

Mr. Gallaway said when he thinks of the Development Area as a whole, and the County starts taking large swaths of the Development Area and saying they are going to limit density in that whole area, he would ask what this does to the rest of the Development Area and what kind of strain it puts on the bigger countywide goal of keeping a 5% Development Area.

Mr. Gallaway said he was not yet sure where he stood on the Middle Density Residential being limited and seeing that the cap was brought down through the votes that were taken and then the Planning Commission numbers, it seemed there were split thoughts on that. He said he was not saying it was even, but it was not a unanimous consideration to pull that down. He said if they completely cap a land use plan or master plan and make this a major piece, he would ask what this means for the rest of the Development Area in terms of the strain it will put there when growth is happening everywhere. He said infrastructure issues are not everywhere, but they can be problematic everywhere throughout the County.

Mr. Gallaway said he does not want to get locked into any sort of language that states something has to happen or precludes density from happening until said infrastructure project happens. He said he would agree that it is smart to get the infrastructure in place, if possible, but they all know it is not just as simple as the Board taking a vote and putting the infrastructure in place. He said there are a lot of other things that go into getting the "infrastructure" to happen. He said this is why he likes that when individual applications come to the Board, they can then make the decisions at that given time. He said for him, it was not so much a question of where, but more a question of when, sometimes, that the project or density should go in there.

Mr. Gallaway said in terms of the resolution that the CAC out there took and those four bullet points, he was just curious because it made him think of the timing and thinking through of the density caps that are being placed here. He mentioned the Eastern Avenue Connector and the bridge over Lickinghole Creek, noting it has been brought up at the MPO, and he asked what the current update is on that particular item.

Ms. Mallek said her understanding from staff was that they saw a plan a couple of months ago and supported staff's recommendation about the route because of the total evaluation that was done, and it is now in design to be ready for the next round of Revenue Sharing that happens later in the spring, with the finals to be done in August. She said it was at the top of the list for a while and is ready to go now, and it has a much more defensible design so that they will not get thrown under the bus by VDOT, who says it costs three times as much as they think. She said this is a great step forward, and she would be glad to answer some of Mr. Gallaway's other questions.

Mr. Gallaway said this was a big project, and he knew that Ms. Mallek had been after that one, as he sits on some of the committees. He said at least this was in motion rather than hoping and waiting to see it happen. He said he believed the Crozet expansion was in the long-term CIP for the next five years.

Ms. Mallek replied that the school is coming up quickly and is in design.

Mr. Gallaway said he did not know the details of the Western Park project, as it just said, "Building Western Park." He asked if this was in motion or not and if there was a timeline for that.

Ms. Mallek said there is "Phase 1 – ASAP," which is mostly funded by the money that was put in by the purchasers in Old Trail that each pay a certain stipend into an account for that. She said the first limited phase is heading for its design to be able to be carried forward with those existing funds.

Ms. Mallek said her general answer was that there are many, many items which have been done or are in process, which is great, and everyone appreciates those. She said they will just have to get over the fact that it may have taken 20 years to get to this point, but at least they are there right now.

Ms. Mallek said she thinks one thing that is different between a new greenfield subdivision such as Old Trail, where there is easy ability to accommodate the five stories in the apartment building on Old Trail Drive because of the sidewalks, et cetera that are already there, that the difficulty has been in these many neighborhoods which were built in the 1930s and 40s, where the streets are 12 feet wide and the prescriptive right-of-way goes right to the edge. She said they have been trying to work on the right-of-way for Tabor Street and Park Road for ten years, and it is challenging to do so.

Ms. Mallek said the infrastructure is a little different in a question because there is an older neighborhood with lots of houses that were built for the people who worked in the mills at J.B. Barnes, Acme, and Morton. She said people would walk to work, jump off their desk, and run to the firehouse. She said it is a very compact, compressed geography with lots of older, smaller homes.

Ms. Mallek said since 2005, over 300 units were zoned into Crozet that were supposed to be affordable. She said they were not delivered due to a whole other example of how the process has failed. She said there was tremendous willingness to have them, and the idea was to have them distributed throughout the community rather than all in one place. She said when the big apartment building one sees when driving into Old Trail first came through, her understanding was that it was supposed to be a HUD project, and when it came through the rezoning amendment for the code of development, it morphed into totally market rate instead. She said this was out of their hands legislatively.

Ms. Mallek said she thinks there is great concern about protection of the older neighborhoods, Orchard Road, and the hundreds of houses that are currently occupied by residents whose grandparents built them, or they built them themselves and they are 85 years old. She said there are lots of family houses and children who play near the street, and this is a real hazard because there are no sidewalks or ability to have sidewalks.

Ms. Mallek said this was a long story to get to her point. She said there was concern about having higher density and every house having an accessory unit, for example, because the question would be about where the traffic will go and how the streets will be able to handle doubling the population. She said as it is working its way along, she thinks this is something that can be accommodated.

Ms. Mallek said there were three different opportunities in Crozet to get the bungalow court done, and finally the last one, Bamboo Grove, did get approved. She said those are designed for small families to start out. She said there is another co-housing project called Emerson Commons just north of Route 240, which has a lot of duplexes and triplexes, as well a common area around the old house, which is a common play space. She said there is a wide variety of houses.

Ms. Mallek said many of the long timers and the newcomers have said they came to Crozet because they were living out of the area, and the master plan sounded so well-organized. She said they are also concerned about having it change dramatically.

Ms. Mallek said with regard to the comment about the vote, she wanted to make sure they understand that they purposely appointed people with very different points of view from 2010 to present because it is important to have different points of view on the CAC. She said before 2010, it was basically the same 50 people who had been coming to meetings and going to master plan updates for many years. She said the reason that the voting was important was only to give staff an idea of the splits because there were different opinions about things. She said there is full understanding that there was not a decision.

Ms. Mallek said the one Mr. Gallaway referred to was about a member who was very upset, and he tried to make a motion that did not even receive a second. She said other people spoke up and said there have been changes made, and the changes reflect so much more flexibility, so they supported them.

Ms. Mallek said she thinks the work has evolved considerably and that there is a tremendous amount of support for almost all aspects of this. She said it has been interesting getting there because they have had large groups of 60 to 90 people show up online and all wanting to say something. She said the County is trying its very best to live up to all the different accommodations because they want to protect the affordable housing they have, make possibilities for more, and figure out how to keep their kids from getting run over in the street.

Mr. Gallaway said he appreciated the information. He said they all have infrastructure priorities that have not been completed in their districts, and he was not even disputing the point here. He said of the first three items they went through, they are all in motion. He said sidewalks, multiuse paths, and bicycle/pedestrian elements are countywide goals, and they are going to attack that as they can. He said they are having trouble getting it done and bid with the current sidewalk projects just to get these things in coming into the budget. He said the bigger point here was that if none of these things were in motion, he could conceive of a density cap differently than if they are in motion. He said this was his overall point.

Ms. Mallek said she was not sure she understood where Mr. Gallaway was saying this density cap was going on.

Mr. Gallaway said he focused on the Middle Density Residential piece and its reduction from the cap on that particular category.

Ms. Mallek said it is actually an upzoning everywhere from what is currently on the ground.

Mr. Gallaway said he understood, but the restrictions were potential. He said the potential was at one point, and it was negotiated down. He asked if his understanding was wrong that the MDR cap was negotiated down.

Ms. Mallek said it is still more than what used to be called Urban Density in Crozet, so everywhere is having an increase in allowance from 12 to 24 units instead of 36 units because of the limitations of the space and the geography. She said this seemed appropriate.

Mr. Gallaway said he understood, read the notes, and could see where it went. He said he was just stating his view that some of the things that the CCAC identified as major infrastructure projects are in motion, and to him, this says that when they conceive of a plan that is going to be in place for many years that they should be able to count on, this needs to be taken into consideration rather than just the current state of infrastructure. He said when they are discussing caps on densities, he thinks this has point to be made.

Mr. Gallaway said this was his opinion, and he did not know what staff would do with it. He said he was specifically tracking the MDR, not to mention that when the CCAC meets, his Twitter feed lights up, and this is where he sees a lot of comments flying around. He said he homed in on that particular MDR as well.

Mr. Gallaway said obviously, they have to take the lead of those living in the community and look to their opinions, and certainly to Ms. Mallek as this is the area she represents. He said when he thinks of capping anything based on when some infrastructure items look to be in play that are rather significant, if there is a ceiling, what does this mean to the Development Areas elsewhere in that same 10-, 20-, or 30-year outlook where they know that growth will continue.

Mr. Gallaway said there had been two specific questions posed by staff and asked if they got answers to those questions as the Board was discussing. He asked if they needed to go back through and specifically hit those questions, or if staff could tell the Board what they heard in their feedback.

Ms. Falkenstein said it would be helpful if the Board could go back through on the questions. She said she has been listening to the feedback, but she did not think she heard much consensus.

Mr. Gallaway asked Ms. Falkenstein to put the questions back on the screen. He said the Board reacted to all this information, but they also want to make sure that for what Ms. Falkenstein is coming to

the Board for, they give her those responses. He said if any Supervisor had concerns about how to answer the questions, there was plenty of time. He said the two questions on the screen were those the Board was specifically asked to address. He asked the Supervisors to give feedback on these questions so that staff would have their path forward.

Mr. Gallaway noted that some Supervisors wrote in the chat that Mr. Charles Rapp wanted to weigh in. He asked Mr. Rapp if he had any comments.

Mr. Charles Rapp, Planning Director, said he was going to add that as Mr. Gallaway pointed out, it would be great to circle back to these questions to see if they could get some better direction. He said they certainly want to have a plan that the Board supports and as Mr. Gallaway pointed out, there was some reaction to where they set the densities in this Middle Density category and some of the other items and trying to find the balance between feedback from the community, CAC, and the larger future land use goals of the County.

Mr. Rapp said one thing staff was trying to do with this was eliminate the inconsistencies so that they have density ranges throughout the County that are consistent in all the growth areas, which is what led them down this route of a Middle Density designation. He said rather than having an Urban Density that was different in Crozet than in other growth areas, they felt they needed to address something different here that actually fit the densities the community desired there in previous master planning efforts and try to capture that in better ways.

Mr. Rapp said it would be great to get additional feedback as it did seem that there were some differing opinions as to what those densities should be or if things should be similar to how they are in other growth areas so they can get on the right track with a plan that the Board supports.

Ms. Palmer said she would comment, then answer the questions. She said these two Development Areas, Crozet and Rivanna Village, that are detached from the main Development Area are a little bit different in that right now, they are somewhat of a bedroom community. She said her district is very close to Crozet, and she gets a huge amount of feedback about all the traffic that is coming on rural roads. She said everyone gets feedback about traffic as far as there being too much on the urban roads and rural roads, but the rural roads are not really designed at all to take this as they have lots of blind curves and biking without any shoulders.

Ms. Palmer said she did not necessarily believe that the densities should be the same, or they should at least take into consideration that a large percentage of the people are leaving to go elsewhere, to go to work, school, or elsewhere.

Ms. Palmer said as far as the question, "Is the draft chapter consistent with the County's Comprehensive Plan and Strategic Plan goals?" she thinks that it is consistent, in her mind. She said she would like to spend some more time with it after she gets the maps that she asked for. She said as far as the second question, "Does the Board have feedback or suggested revisions to this draft content?" she did not.

Ms. Mallek said as far as Question 1, she would say she thinks it is consistent. She said the Comprehensive Plan focuses on the protection and quality of life of neighborhoods, historic and natural resources, in addition to many other issues, and she thinks this is where this master plan is building on the 1980, 2005, and 2010 work that has been done. She said while it is perceived to be a much higher density to many of the residents, it is something she thinks the community can manage. She said as Mr. Rapp noted, it is a good balance between where they could go and where they may be right now, considering the limitations of the geography.

Ms. LaPisto-Kirtley said she agreed with Ms. Palmer that regarding affordable housing, they do not necessarily have to have a specific number for each district. She said they have to look at the entire County and see where growth and higher density is possible. She said this was her only comment.

Ms. Price thanked Mr. Rapp for his additional comments. She said taking into consideration the other comments that have been made, she would say that to answer Question 1, the draft chapter is largely consistent with the Comprehensive Plan. She said she thinks it falls short of the Strategic Plan goals with regard to affordable housing. She said this would be her response to Question 2. She said she does recognize the difference between the Urban Ring density, Crozet (the next largest area), and the Rivanna area (which is developing at a much smaller scale), and her concern is principally limited to whether there is going to be the availability of a reasonable component of middle- and lower-income housing availability.

Ms. McKeel said she would follow with what Ms. Price and Ms. LaPisto-Kirtley expressed. She said from a high altitude, the draft chapter was probably consistent with the Comprehensive Plan, but not so much with strategic goals. She said in terms of suggested revisions, she is looking for density throughout the Development Area and the ability for people to have a choice of affordable housing in multiple locations and not just in one area. She said if they do that, they can make sure that transit and transportation is provided for those areas.

Ms. McKeel said she is looking for affordable housing, opportunities for people to live in different places within the Development Area, and density that allows for this. She said then, they can look at making sure people get to where they are going, whether it is transit or on-demand.

Mr. Gallaway said he would echo or repeat the comments Ms. Price made with regard to Question 1. He said with regard to Question 2, he wanted to be clear that he was not suggesting that the Development Areas should have the same density levels or caps. He said his feedback is that when the Board makes this decision in this area, while the specific character of that area has to be taken into consideration, any decision they make here will impact the other Development Areas, and this has to be thought of. He said this does not even get to the equity question of if this will help the ability for different income types to fit there.

Mr. Gallaway said he is not of the mind that the Rio29 Small Area Plan density should be the same as the Downtown Area Crozet density, but whatever numbers the Board puts in any of these Development Areas will impact the others, and that fluidity or relationship is one that the Board needs to make sure they are taking into account when they make the decisions on the total plan.

Mr. Gallaway said it sounded to him that they got some crystal clear answers to the questions that time around.

Ms. Falkenstein agreed and said this was very helpful.

Mr. Gallaway asked staff if they wanted to make any comments before moving on.

Ms. Falkenstein said she would address Ms. Palmer's comment. She said those maps she requested were not in the advance materials, but staff could follow up with an email that has a PDF of the presentation.

Ms. Mallek said she had a question to leave for future thought. She asked how they can dramatically change the way they do rezonings to actually achieve what the County says they are looking for. She said for the 8,000 new residents in the little growth area of Crozet since 2005, the County's process did not deliver even the 15% it was supposed to. She said they should probably have a much higher percentage, but she does not know how to get there unless they figure out how to dramatically change the process they have.

Ms. Mallek said they can also perhaps encourage partnerships where someone takes control of x percentage of the units to keep them affordable in perpetuity as opposed to this game that is played, where all these units just turn into market rate after some arbitrary, miniscule amount of time.

Ms. Mallek said the County is spinning its wheels and not getting anywhere, which is incredibly frustrating for everyone. She said she would leave this bombshell for people to figure out, as she had certainly not figured out the magic solution.

Mr. Gallaway thanked Ms. Falkenstein and Ms. Kanellopoulos not just for the presentation of information, but for the entire process of going through this type of update. He offered them praise as they continue to work on this, and the Board looked forward to seeing this come forward again.

Non-Agenda Item – Recess

The Board recessed its meeting at 3:42 p.m. and reconvened at 3:58 p.m.

Ms. Price called the meeting back to order. She noted that Mr. Gallaway was still a part of the meeting but had a work call, and so she would be leading this section of the meeting.

Agenda Item No. 12. Presentation: County Transportation Planner Quarterly Report.

Mr. Daniel Butch, Senior Transportation Planner, said this was the quarterly report for January through March 2021.

Mr. Butch said in terms of transportation priorities, staff continues to work to advance the Albemarle County priority list. He said the most current update is for the Smart Scale projects that were submitted in August of 2020. He said in January 2021, initial scoring and proposed funding scenarios were announced by the Commonwealth Transportation Board, which resulted in nine out of ten Albemarle County projects recommended for funding. He said this would be finalized for approval at the CTB meeting in June of 2021. He said the nine projects were listed on the screen.

Mr. Butch said the only Albemarle County project that was not recommended for funding was the Frays Mill/Burnley Station/US-29 Intersection Improvement.

Mr. Butch said in terms of the 2019 Revenue Sharing grant status updates, for the Berkmar Drive Extension to Airport Road Project, this project would complete Berkmar Drive to Airport Road and construct a roundabout at the intersection, including bicycle and pedestrian connections. He said this is the one Revenue Sharing project from the 2019 applications that the County decided to move forward with, and staff is working on a project agreement with VDOT. He said a resolution and the project agreement will be going to the Board on April 21.

Mr. Butch said also under 2019 Revenue Sharing is the Old Lynchburg Road/Moores Creek Bike-Ped Improvements. He said this project proposed to construct sidewalk along Old Lynchburg Road

beneath the I-64 overpass, connecting to Azalea Park and the City, and to construct a shared use path along Moores Creek from Old Lynchburg Road to Sunset Avenue.

Mr. Butch said because of the reduced funding, the decision was made to break the project into two separate projects and move forward with just the sidewalks on Old Lynchburg Road, utilizing Transportation Leveraging funds for that, then reevaluate the greenways portion of the project. He said staff is currently reviewing the concept plan and preparing to begin discussion with the engineering consultant to develop a scope and cost for the sidewalk portion of the project.

Mr. Butch said major planning project priorities include Eastern Avenue South. He said this project is currently being evaluated through an alignment study in conceptual design by a consultant. He said the result of this study, which will be 30% design and cost estimate, will be used as necessary funding to complete the project. He said the alignment study was presented to the Board in January with the preferred alignment endorsed. He said this project is being considered for Revenue Sharing grant application, and pre-application submittal due date is July 2, with final applications due October 1.

Mr. Butch said staff is working with another consultant on the Rio Corridor Study, which is evaluating transportation in the corridor from US-29 to the John Warner Parkway. He said the consultant is currently focused on data collection and assessment of existing conditions within this corridor. He said there were public meetings held for the project to gain feedback on March 11 and 12, and currently under discussion for Phase 2 of the corridor study is the extension to the City line on Rio Road to include that portion of Rio in the study.

Mr. Butch said for the Crozet Transportation Study within the master plan update, the consultant is underway on the transportation study for the overall street system in Crozet. He said existing condition results were presented to the Crozet CAC in December, and the transportation recommendations were presented in January. He said staff is working to finalize the recommendations within the master plan update.

Mr. Butch said for the Broadway Blueprint, staff is finalizing recommendations from the study, and they are having internal discussions on next steps.

Mr. Butch said for the bike and pedestrian aspects of the priorities, under Quality of Life projects, the Avon Bicycle/Pedestrian improvements are recommendations from the corridor study and could be potential Transportation Alternative grants for 2021. He said staff will be taking these potential projects to the Board in May for Revenue Sharing and Transportation Alternatives.

Mr. Butch said the Berkmar Shared Use Path, which connects from Rio up to Hilton Heights, is under design.

Mr. Butch said the Ashwood Boulevard Shared Use Path was a Quality of Life project. He said this is part of a proposed rezoning, so it looks like they can make this connection there as well.

Mr. Butch said for the Rivanna River Crossing, public meetings were held in the fall. He said this was a study done by VDOT for a proposed route through the Jefferson Area Bicycle-Pedestrian Plan. He said this could be a potential Smart Scale application, but staff will be going to the Board in May to confirm their direction for this project. He said a lot of coordination was associated with the Rivanna River Corridor Study that is ongoing as well.

Mr. Butch said there the Bicycle and Pedestrian Facilities Inventory and Mapping efforts. He said the Planning District Commission did a field inventory of Neighborhoods I and V not just for bicycle and pedestrian, but this is the data being used for these efforts. He said there is a lot of other signage and inventory they collected as well. He said this is being merged into the County's OneMap data, and there is an effort to merge this with the City and UVA to have this be an accessible, online planning tool, hopefully this summer. He said staff is also using this data to analyze sidewalk conditions with maintenance programs and evaluate potential improvements on VDOT's routine paving where it is suitable, such as shoulders for any bike infrastructure.

Mr. Butch said for transit, staff is working with CAT and stakeholders specifically on a Sense of Place project. He said the shelters are in the process of being ordered and permitted, but they are always looking improvements and coordinating with the development of transit stops within development projects.

Mr. Butch said the TJPDC was awarded two grants this past year by the Department of Rail and Public Transit to support the Regional Transit Vision Plan and a transit plan for Albemarle County, focusing on expanding service to US-29, Pantops, and the Monticello facility. He said both grants were funded, and staff has been working to initiate those planning processes with the PDC.

Mr. Butch said under administrative aspects, the Functional Classification application was endorsed by the Charlottesville MPO. He said this is for the major collector to minor arterial upgrade in functional classification. He said staff will be preparing these applications to submit to the Federal Highway for review of these five highway segments that are proposed for upgrades from major collector to minor arterial.

Mr. Butch said Virginia Scenic Byways is two years in the making, but the Department of Conservation and Recreation and VDOT have recommended Routes 810 and 240 for scenic byway

status. He said staff will be asking the Board shortly to take this to a public hearing, sometime in early summer, to be able to have these routes designated as scenic byways.

Mr. Butch said the list on the screen showed development projects staff is working on that have significant transportation implementations. He said planning and transportation staff are in coordination on these reviews. He said these were the projects that had been on the radar for this quarter.

Mr. Butch said under Rural-Rustic Hard Surfacing, Coles Rolling Road Segment 1 is finished, and Segment 2 is ongoing. He said Reservoir Road and a portion of Wesley Chapel are both expected for a spring paving. He said Burnt Mill Road is in the scoping stage. He said all of these are rural-rustic hard-surface pavings through the Secondary Six-Year Plan, and the public hearing will be at the end of May with the Board.

Mr. Butch said under reported transportation issues, the two main areas he and Mr. Kevin McDermott have been working on are addressing speeding concerns and parking issues. He said specifically, they have St George Avenue, where a petition has been submitted for traffic calming from the residents and will be going to the Board for support and resolution to take this through the process of a traffic calming plan.

Mr. Butch said for parking issues, there were specifically two areas that staff has been trying to address, and this is in coordination with FES, ACPD, and VDOT. He said this is specific to Berkmar Drive truck parking as well as Mill Creek South, where they have been in coordination with the Parks and Recreation Department as well.

Mr. Butch offered to answer any questions.

Ms. Mallek said there was lots of wonderful news in the presentation. She said she is excited about the pilot staff is working on to try to keep the speed studies organized so that everyone can keep up. She said keeping up is hard, so she is also grateful for the tracking system that staff has invented because she would generally have to go through five years of emails to try to find out what happened to a request that was sent in and never got anywhere due to everyone being busy. She said this will help all the Board members tremendously.

Ms. Mallek said in terms of Berkmar Extended, she believed she saw that Telefee funds are going to be used into the future to pay for that. She asked how many future years they were talking about because they basically swept all the other projects' funding buckets to get money for Berkmar Extended, and those projects are all sitting empty now. She asked how long they will have to wait.

Ms. Mallek asked if a location has been determined for the Rivanna Crossing bridge or if this was still yet to come.

Mr. Butch replied that for Berkmar, this project agreement will be going to the Board in two weeks. He said it does break down the cost within the quarterly report attachment. He said he knew it is outyears in the Secondary Six-Year Plan Telefee funds, and a lot had to do with the update of the state's recommendation, so staff had to add more to that. He said perhaps Mr. McDermott could add to that, but he would be more comfortable diving in to specifically see exactly how much were from Telefee funds.

Mr. McDermott said he believed it was through 2024 that those Telefee funds would be used. He said it would be a couple more years before any are available to move to other projects. He said there is also a lot in the past that has already gone to that. He said he believed it was close to \$2 million in Telefee money that was used to fund that project.

Ms. Mallek said they can hang on for two more years.

Ms. LaPisto-Kirtley said she knows there is a speed study going on between Shadwell and Gordonsville, which is Route 22 which then turns into Route 231. She said half of it is 45 mph while the other half is 50 mph, and they do have speeders. She asked if this speed study is something that is also on staff's radar.

Mr. Butch replied that staff is in coordination with VDOT, as this is a VDOT-led study. He said VDOT has been updating staff at their monthly meetings, and he believed they were currently in the process of doing this study. He said he was not sure if there was an update coming up in Ms. Carrie Shephard's presentation, but he believed that the most current status was in-progress.

Ms. LaPisto-Kirtley said Mr. Butch had mentioned that for St George Avenue, there was a petition that was submitted, and a resolution was needed from the Board. She asked if this was something she would have to do for this other study in Rivanna.

Mr. Butch replied that for St George Avenue, this is a traffic calming resolution. He said on a secondary road, it meets the requirements. He said what VDOT is initially evaluating on Route 22 is crash history, and he knows there is a concern for trucks. He said VDOT's approach was to evaluate the speed concerns because there was a recent speed study conducted within the past ten years on Route 22. He said he believed VDOT was in the initial stages of gathering all pertinent data, then reevaluating. He said it is a different type of study from St George Avenue.

Ms. LaPisto-Kirtley said Mr. Butch had mentioned the Rivanna River Crossing and Smart Scale

application. She asked if the application would be for the following year.

Mr. Butch replied yes. He said this would be a year out from now. He said this was in early discussion, and he remember that Ms. Mallek had asked about the study recommending alignments within that. He said there are recommended alignments, and staff will be going to the Board for support to evaluate that further. He said if anything, this would be through the MPO to be submitted, and they have a process now of being able to start initiating the Smart Scale application process with the PDC early on to have open discussion. He said staff is thinking about this for a year and a half from now.

Ms. LaPisto-Kirtley said Mr. Butch had mentioned an Ashwood Boulevard shared use path. She asked if this was the one that would connect from Brookhill through North Pointe and on to Ashwood.

Mr. Butch replied that this was in a proposal for a rezoning on Ashwood, which connects Forest Lakes to Route 29. He said it would be on Ashwood itself as a shared use path within a development. He said that on the north portion of Ashwood Boulevard, there is a shared use path on northbound and southbound Route 29. He said there is a shared use path on the east side of Route 29 there, and there would be a proposal in this redevelopment that would connect the community of Forest Lakes with the existing infrastructure on Route 29.

Ms. LaPisto-Kirtley asked Mr. Butch if he was talking about the RST development.

Mr. Butch replied yes.

Ms. Palmer asked what the actual timeline was that the Board was expecting for getting the short stretch of sidewalk under I-64 on Old Lynchburg Road Extended. She said she knew Mr. Butch explained that they are in design now, but this has been going on for years, so she was curious as to when they might actually be looking at construction.

Ms. Palmer said her other question was on the functional classification. She said the last time the Board talked about the functional classification of Old Lynchburg Road, she asked if they could possibly extend that classification down to include the new Southwood entrance because it is going to get big, and she did not know if that had happened or was problematic in any way.

Mr. Butch asked Ms. Palmer if she was talking about the Revenue Sharing project.

Ms. Palmer replied yes, noting that she thought they were using money that they already allocated.

Mr. Butch said this was from Transportation Leveraging funds. He said it was just recently decided on the amount of funding they could receive for the greenway.

Mr. McDermott replied that they did not have a timeline for construction at that time. He said they had worked with a consultant to do a preliminary design and cost estimate, submitted it for the Revenue Sharing application, and it did not work out. He said it ended up being more expensive than staff thought it would be. He said they are doing it with existing Transportation Leveraging funds that they currently have in the budget.

Mr. McDermott they are taking back the design the consultant had done to reevaluate it, and they will work with the consultant to finalize the design. He said from the approximately 10% conceptual design that they had, they will bring it up to getting it ready for construction. He said it is still some way off to finalize that, and he is sure it would be a number of months down the road. He said staff needs to work with the FES Division to make sure they can fit the actual design of the project into their schedule.

Ms. Palmer asked if they do not have any money set aside to actually do the construction.

Mr. McDermott replied that they do. He said the full funding is available in the Transportation Leveraging.

Ms. Palmer said this is what she had thought, but the second portion of what he said had her worried. She asked about the functional classification and moving Old Lynchburg Road down to include the new Southwood entrance.

Mr. McDermott replied that this was part of the resolution that was approved by the MPO, and it will be part of the request for FHWA to make the change to go down to Hickory Street.

Ms. McKeel said she had some questions and a couple of comments. She said she would first speak about process. She said she worked very hard a couple of years ago with Mr. Trevor Henry and Mr. Joel DeNunzio on a sign diet for some of the neighborhoods in the older Urban Ring. She said the idea was if this worked, to take the process forward and make sure it was institutionalized. She said this was about trying to keep the clutter of route signs and road names limited. She asked Mr. McDermott if he was familiar with what she was talking about. She said she wanted to make sure this process was going forward with all the new developments going in that are specifically on public road numbers and the names of the streets.

Mr. McDermott replied that he could recall this, and, in fact, it was part of a discussion staff just had that morning with some members of FES and CDD. He said this was brought up to make sure they

keep this idea in mind regarding sign clutter when they are making recommendation for new signs, such as “No Parking” signs. He said he recalled this and that it was still on everyone’s radar.

Ms. McKeel recapped for the Board that they took an older neighborhood that had multiple route and street name signs and combined the signs. She said some of them might be signage from the developers that has the name of the street and route numbers on one post so that there are not multiple posts and signs at corners. She said it made a huge difference. She said every time she walks now in these areas and sees that limited sign clutter, it is so much nicer. She said she just wanted to make sure that they did not lose track of that, so this was great to hear from Mr. McDermott.

Ms. McKeel said she had an email from Ms. Carrie Shephard about how the City has decided that they are not going to move forward with their funding of the signal projects that they had all agreed to. She said this was about Route 29/Emmet Street in the City and aligning all the traffic signals so that the timing is right. She said she is very disappointed if the City is not going to uphold their end of the project.

Mr. McDermott said Ms. Shephard would be presenting after this discussion. He said he would see if she addresses this.

Ms. McKeel said they could do this later, but she had seen Ms. Shephard on the meeting screen.

Ms. Shephard said the two signals Ms. McKeel was talking about were Angus and Morton. She said the signals are currently owned and maintained by the City, but VDOT operates them. She said any timing plans or adjustments are made through VDOT, and they actually can remotely control those signals. She said anything that breaks and any kind of maintenance needed, the City handles, while VDOT handles operating it.

Ms. Shephard said she believed the agreement that was settled upon was for the City to completely replace both of those signals and once this happened, they would then transfer them to VDOT ownership, so they would be VDOT’s assets to maintain and operate from that point forward. She said right now, the signals are in such poor condition that they would need that project to get those replaced so that VDOT could take them into their system.

Ms. McKeel said what she believed she heard Ms. Shephard say was that the City was not going to do it, so the signal timing is not going to happen.

Ms. Shephard said she was not sure what the City decided. She said the only update she had was from a meeting that VDOT had at the beginning of the March with the City, where they had indicated they were balancing other priorities and were not sure if they would move forward or not. She said the timing is outside of the project, and VDOT is handling that now as they have remote access to do so.

Ms. McKeel asked if VDOT has this access even with the old signals in place.

Ms. Shephard replied yes.

Ms. McKeel said for clarification, her recollection (which perhaps Ms. Mallek and those who were on the Board at the time could help her with) was that she thought that the signals from the intersection at Ivy Road all the way down Route 29 were going to be aligned and timed together so that this would help the flow of traffic. She said it was not about two stop lights, but about all of those stoplights. She said she wanted to make sure they did not lose that piece because it does not help to have two signals timed and the others not timed because then, backup happens.

Ms. McKeel said Ms. Mallek was saying that her memory was correct – that it was not just two signals, but all of them in that corridor. She asked if the Board needs to write a letter to the City to remind them of the importance of this. She said at some point, they need all of those signals aligned as they all agreed to. She said she was happy to hear suggestions from Ms. Shephard, Mr. Butch, and Mr. McDermott, and perhaps they needed to talk about it. She said they could come back to it another day.

Ms. McKeel said she goes back to a previous study that the Board saw eight years ago that talked about how every entrance corridor into the City by 2025 or 2028 was going to be gridlocked. She said they have done a lot of transportation improvements, but they need the City to keep moving with what they have committed to in order to help keep traffic moving. She asked Ms. Shephard and staff to get back to the Board with what they might be able to do with the timing of these signals.

Mr. McDermott said they would do that.

Ms. Shephard said Ms. McKeel was right about the two signals, but VDOT has actually adjusted the timing plan up to Airport Road on Route 29. She said they are almost complete from Airport up to Ruckersville. She said everything is in place, and the only item that is outstanding is the communication, as the fiber optic company has to hook this up for VDOT. She said once this is complete, that entire corridor will be timed.

Ms. McKeel said it was supposed to include the Charlottesville City corridor. She said this was the agreement because that kept the traffic moving rather than bunching up at intersections like Barracks Road.

Ms. McKeel said she had to make a couple of comments, and she would ask a question that she and Mr. McDermott recently talked about. She said she has had a couple of community members say to her that part of the problem that they have in Albemarle County with VDOT recognizing their traffic concerns and ability to address some of the urban traffic problem is that VDOT still considers the County to be rural and not urban. She said she and Mr. McDermott talked about this, but she wanted to make sure that she publicly clarified that certain areas of Albemarle County are looked at as being urban and not just entirely rural. She asked if this was correct or if VDOT had done away with this designation completely, thus not affecting them at all.

Mr. McDermott replied that the County should be considered urban. He said they have officially designated urbanized areas within Albemarle County. He said he was not sure exactly what other designation there might be, but part of being included in the MPO is that they have identified urbanized areas in the County.

Ms. McKeel said she wanted to make sure they were clear because there are community members that feel like they are still categorized as rural, which could be a real problem.

Ms. McKeel said there were two problems she wanted to talk about while Mr. Butch, Mr. McDermott, and Ms. Shepherd were present. She said she would go back to the Routes 250 and 29 concerns she is having about noise, as 18-wheelers are increasing and are coming from I-64 down the 29/250 Bypass, into the urban area. She said with the braking, noise, and increase in truck traffic coming into the City limits and heading up 29 North or going straight and heading to Richmond through that area, the houses that are right there on the bypass are really experiencing an increase in noise. She said those houses have been there for over 40 years, but the truck traffic is creating a lot more noise.

Ms. McKeel said they have talked about a sound wall, but she wanted to go on the record publicly as talking about how this is a noise concern for those homes that bump right up onto the bypass. She said she was not sure what they could do, but they have asked for some help, and Ms. Shepherd indicated that there is not much right now that VDOT can do. She said she wanted to go on the record as saying that if anything changes in that area, then they need to be talking about a sound wall for those houses.

Ms. McKeel said they are having a lot of trouble with Bennington Road, which is a public road. She said the pavement is crumbling there and is in very bad shape. She said this is a very old neighborhood, and it is appallingly bad. She said she would like Mr. Butch, Mr. McDermott, or Ms. Shepherd to get back to her about this. She said she was talking about the Bennington Road that is on the Hessian Hills side, as it crosses Barracks Road. She said they need to figure out when they are on the schedule.

Ms. McKeel said the last item was that on page 7 of the report, there is Solomon Road/Inglewood Drive Sidewalk. She said she noticed that unlike the other projects that are listed, it is not listed as being in a district. She asked that when staff makes changes to this report, they add that this is in the Jack Jouett District.

Ms. McKeel said she is very interested in pursuing that project. She said it is an older neighborhood, and a sidewalk would improve the quality life there, add connectivity, and address speeding concerns, looking at it through an equity lens and older neighborhood adjustments. She said there is even a limited amount of right-of-way that has to be purchased because the road is so wide. She said she would like for someone to start taking this sidewalk project into consideration. She apologized if she was mixing VDOT projects with local ones.

Ms. Price said she connected with Mr. Gallaway, who wanted to thank staff for the report as he was appreciative of the work that went into it. She said Mr. Gallaway had no questions.

Ms. Price said she would also thank staff as well as Ms. Shepherd to the responsiveness they have had for a number of questions she brought up. She said she would talk more about VDOT later, but there have been some projects completed recently in the Scottsville District that really made a difference. She said part of Coles Rolling Road was paved, with the other part coming, replacing some pipes, the work done in Scottsville on the new bridge and Glendower. She thanked staff and VDOT for the work they have done.

Mr. McDermott said staff has been working with Ms. Shepherd for about a year, and he wanted to express staff's appreciation for all her efforts there. He said she has been doing a great job, and she probably did not know what she was getting into when she came to Albemarle County in terms of the County's passion for transportation and roads. He said the Director of Transportation for Schools, Mr. Jim Foley, was on the line and wanted to say a few things as well.

Mr. Jim Foley, Director of Transportation for Albemarle County Public Schools, said Mr. Joel DeNunzio was always very supportive of what their efforts were, and Ms. Shepherd has exceeded his expectations in continuing what Mr. DeNunzio did. He said Ms. Shepherd has supported the signal changes at Western Albemarle and Albemarle High School. He said she repainted the lines in front of Mountain View Elementary, which makes it much safer for parents and buses getting into the school. He said she helped him get training on the new road condition software, which he uses to help decide whether they are going to open schools in the morning. He said this has been very effective.

Mr. Foley said Ms. Shepherd has been supportive of the project to install level gauges on some of the bridges that frequently flood, which can be a problem if a bus comes across a flooded bridge and has to back up for a mile to get out because there is no turnaround. He said she is truly concerned with student and public safety, and he wanted to recognize her for that. He said it has been a pleasure working with Ms. Shepherd for the last year.

Agenda Item No. 13. Presentation: Virginia Department of Transportation (VDOT) Quarterly Report.

Ms. Carrie Shepherd, Charlottesville Residency Administrator, said she would start with preliminary engineering updates. She said she believed she had a mistake in her original presentation, so she would note that the Route 240/250 Roundabout's ad date is actually this fall, and she believed she had had a date of last November. She said otherwise, the updates on the slide had not changed since the last meeting or monthly report.

Ms. Shepherd said under design/build projects, the Exit 124 Diverging Diamond Interchange is off to a good start. She said one would notice a lot more construction activity out there, and VDOT has recently lowered the speed limit to 25 mph within the actual project vicinity and to 35 mph as one heads out. She said she was excited about this project, and although it may be a painful process for a year or two, she thinks it will be a great improvement.

Ms. Shepherd said as far as rural-rustic, which Mr. Butch covered, VDOT is still working on Phase 2 for Coles Rolling Road. She said she just approved that day the scoping documents for Wesley Chapel and Reservoir Road, and those will be getting started in late spring or early summer.

Ms. Shepherd said as far as construction activities, VDOT recently replaced a pipe just north of Scottsville. She said they had the original construction schedule set to be complete for Friday, April 9 (a two-week timespan), but they were actually able to complete the project one week early, so they were able to get the road open last Friday afternoon just in time for Easter weekend, which she knew was a big help for people driving in that area.

Ms. Shepherd said also ongoing is a project on Route 29 just south of Lewis and Clark, where VDOT is fixing a sinkhole they had discovered around the Christmas timeframe. She said they are on target to be complete on April 19, which involves jacking and boring a brand new pipe under both southbound and northbound travel lanes.

Ms. Shepherd said as far as bridge projects, for Route 640, she received an update on the project that day. She said the planned start for the Gilbert's Station Road bridge repair is May 17, and VDOT is just waiting on one more approval from the railroad. She said Browns Gap Turnpike recently started April 5 and is scheduled to be complete April 16.

Ms. Shepherd said as far as traffic engineering, since the last meeting, what VDOT has completed is the speed study on Crozet, and as was discussed prior, they are also in the process of having counters down and doing a speed study on St George Avenue as well. She said they had the counters out for 48 hours that week on Monday and Tuesday, and they received a lot of feedback from the citizens in the vicinity that the schools were out. She said in response, VDOT will put those counters back out next Monday and Tuesday when schools are back in session, which will give them a good data comparison and make sure that they are capturing the additional traffic related to the schools.

Ms. Shepherd said currently under review is Route 231 speed reduction to have it at a consistent 45 mph. She said at the same time, VDOT is also looking at Klockner and a couple other items that Ms. LaPisto-Kirtley has shared with her regarding some signage. She said James Madison Parkway and Carter's Mountain Intersection Review is also in progress, and Old Trail Drive Crosswalk Review is also currently under review.

Ms. Shepherd said not much had changed on the land use slide, so she would not run through those items.

Ms. Shepherd concluded her formal presentation and opened the floor to questions, comments, and concerns.

Ms. Mallek said that outside of the White Hall District, she wanted to leave a thought with Ms. Shepherd. She said she is still regularly seeing long lines of tractor trailers northbound on Route 29 trying to go west on I-64 who are having a terrible time crossing over and are not being helped at all by the changes that have happened so far. She said she hopes VDOT is considering a second traffic light that would actually allow these trucks to go with protection because she just does not see the improvement there.

Ms. Mallek asked Ms. Shepherd to please add Millington Road to her list. She said she came back from a recent gathering at the Mormons River, where large sections (six by six feet) of shallow peel up has happened, especially between Free Union and the creek going west, which is making it hazardous coming down through there. She said hopefully, this would be on the paving list so that at some point, VDOT can go out and repair those. She said people tries to dodge around them, and this makes it scary when one is going around a corner and someone is in their lane because they are trying to avoid the pothole.

Ms. Mallek said regarding the bridge replacement on 629, while the machinery is there, she wondered if it was possible to regrade 629 further north. She said it is a real mess. She said she knows state maintenance goes further up the road, and she hopes that VDOT can do something with that. She said she was frankly surprised that the bridge was being fixed, considering how remote it is. She said while the machinery is there and if they are going to spend the money to fix the bridge, she would ask VDOT to take care of the maintenance there as well, which would be a big help.

Ms. Mallek said she knew VDOT sent back a denial on the speed analysis for Crozet Avenue, north of the four-way stop, but she would reiterate that this is the only stretch of any main road in Crozet that has four blocks of 35 mph. She said Crozet Avenue south all the way to Route 250 is 25 mph, as well as Jarman's Gap, Mint Springs Road, and Three Notched Road coming into the four-way stop.

Ms. Mallek said she would ask VDOT to reevaluate their analysis on that, as it does not seem sensible to have two blocks of 25 mph, then four blocks of 35 mph, and then the elementary school, where people are blowing through the crosswalk at 50 mph. She asked if there was any way that they can get a consistent 25 mph through there, adding that changing two signs was all they needed to do.

Ms. Mallek said she knew this was a very specific request from the community multiple times over many years. She said when people see the 35-mph sign, they floor it, and they are already long gone. She said even when they were all standing at the meeting a couple of weeks ago, it was happening regularly. She asked VDOT to please reconsider that decision.

Ms. LaPisto-Kirtley asked Ms. Shepherd regarding Route 640/Gilbert's Station Road what exactly is being done at the bridge there.

Ms. Shepherd replied that she was not entirely sure and believed that it was just a deck replacement. She said she would look and get back to Ms. LaPisto-Kirtley.

Ms. LaPisto-Kirtley asked if it was a widening, as she believed it was a two-lane bridge.

Ms. Shepherd replied no. She said she did not believe they were doing any widening.

Ms. Palmer said she had a question about the no parking study on Ridge Road. She asked if this is in the area where people are running on Ridge Road park now, or if this was a different area or one side versus the other.

Ms. Shepherd said she was not sure.

Mr. McDermott replied that it is addressing the issue with runners and bikers that are parking along that stretch. He said he had not seen the actual proposal, but he did not believe they are restricting parking entirely on that road. He said there are places where people still will be able to park, and it is trying to address particular situations where it is not working out and is blocking traffic.

Ms. Palmer said this is what she had thought it was as she knows there is a big problem there sometimes when it gets very crowded, but she wanted to say that the overflow parking right now is on Decca Lane. She said depending on how they address the parking problem on Ridge Road, she would ask them to consider that overflow is going on Decca, which has its own problems with parking on the side.

Ms. Palmer said Ms. Mallek wanted to say something about parking on Ridge Road. She said she recognized there was a problem and was not arguing that they do it, but she wanted to make sure that everyone understands where the overflow goes.

Ms. Mallek said she was sorry to interrupt, but the formal request was for both ends of Ridge Road (both the Free Union end and Garth Road end), and this is because whole teams from UVA come out there, and trucks, trailers, and fire engines cannot get through. She said this has got to be a safety issue more than a convenience issue for people who want to go run, and she wished that they would do exactly the same thing on Decca and make the whole thing a no-parking zone because this is a hazard for the people who live there.

Ms. Mallek said she cannot back her trailer full of cows up a half a mile, and there is no place to turn around. She said she thinks the farmers along there and the emergency vehicles are having a very hard time.

Ms. Palmer said that for everyone else's edification, this happens predominantly on the weekends, unless there is a race. She said her other statement was to echo what Ms. Mallek just said about the Browns Gap Turnpike Bridge that VDOT is replacing. She said this is a very popular hiking area, but it has become less popular since the road has deteriorated, and it is not being maintained up farther on that road. She said there is only one house on the other side of that bridge, and they have tried very hard to make it look like their driveway and restrict parking along that small section of VDOT-maintained road there.

Ms. Palmer said she wanted to bring it to VDOT's attention that this is one of the entrances into the Shenandoah National Park that has become less popular since the road has deteriorated, and the parking has been made more difficult and extended out to Route 810 at the Blackwell Hollow Turnpike.

She said that sometimes, the small area that is the only place to park in now is overloaded.

Ms. Palmer said years ago, it used to be maintained to some extent all the way up to the park line barrier. She said she knew this was not going to happen, and she certainly was not suggesting that VDOT spend the money on that. She said it had been a very popular place where trout fishermen would go, and it is a recreational area that has been lessened because of the parking and lack of maintenance even just a little up the road, as there were some parking areas a little way up the hill.

Ms. McKeel said she had another question to ask, adding that Ms. Shepherd did a great job and that the recognition she received was wonderful. She said that for the replacement for the bridge on Old Ivy Road, she saw that it says, "Public hearing, field inspection to be determined." She asked for an update on that project. She said she believed they were actually going to be able to get one pedestrian/bike path along there, and she just wanted to make sure they did not lose track of that because they need to be able to get bikes and pedestrians across there safely.

Ms. Shepherd said this was correct. She said they did alter the project to create that extra space for bikes. She said she would double-check this milestone. She said she knows that just because of COVID, VDOT has had to alter public hearings, and this held them up in many instances. She said they did, however, come up with a process that was approved by the State to have virtual public hearings, so she would check to see if this had been scheduled yet and get Ms. McKeel a better update on that.

Ms. McKeel said she was curious because it was the only item that said "to be determined," and she just wanted to make sure they were not losing track of it. She said the bike/pedestrian piece is very important.

Ms. Price said in addition to the earlier recognition of Ms. Shepherd, recently in Foxcroft, some fiber optic cables were installed, and there has been some damage to the roadways and some of the drainage areas. She said going to the very end of Foxdale lane, one can see where the contractor's truck drove over the rocks that had been put in on the side of the road to help with water runoff and on several of the other cul-de-sacs.

Ms. Price said she was out there a little over a week ago and met with the president of the HOA. She said she believed this was all work that the contractor should have to either pay for or reimburse VDOT, though she was not exactly sure how VDOT does the financing on that. She said there were a number of areas in that neighborhood where there has been some damage to the roadway right-of-way when that work was done, so she would ask that VDOT take a look into that.

Ms. Price said following up on a comment that Ms. McKeel made earlier, when the traffic light synchronization on 29 North works, it is absolutely incredible. She said early that morning, she had to go to Target, came off the bypass, and did not stop until she got to the traffic light at Target. She said there were times back when she used to fly that she has been able to make it all the way to the airport that way, so the synchronization is why they are not just gridlocked. She thanked VDOT for the work they have done to make that effective.

Ms. Price said she did not believe Mr. Gallaway had any questions at that time and that he would also thank Ms. Shepherd for the report.

Ms. LaPisto-Kirtley said she had one other item to bring up to Ms. Shepherd. She congratulated on Ms. Shepherd for her well-deserved recognition. She said Ms. Shepherd is a very hard worker and very knowledgeable.

Ms. LaPisto-Kirtley said she wanted to bring up Free Bridge Lane, which is a very short span of road that goes right along the Rivanna River, to Elk Drive, which goes to Darden Towe. She said a lot of people that are coming south on Route 20 in the morning will turn right onto Elk Drive, then turn left onto Free Bridge, go very fast, then turn right onto Route 250, thereby avoiding any backup. She said this is causing problems, as there are a lot of cars that do this and scoot around so instead of going to Route 20/250 and turning right, they go through Darden Towe Park to get out onto Route 250.

Ms. LaPisto-Kirtley said there are walking trails along the Rivanna River, so people walk there, and there is a whole community across the street where they have access and cross also. She asked whether or not this can be looked at, to perhaps turn this into a one-way street so that it would be one way from Route 250 to Elk Drive. She said this would eliminate all the cars going south on Route 20 and going through Darden Towe to get to Route 250. She said this was not even a mile of road, and it is a narrow road right along the river.

Ms. Mallek asked to confirm this with Parks and Recreation, as she thought the road was slated to be closed to vehicles because of this very issue and the fact that it is heavily used by pedestrians. She said she did not want this to get lost, as it has been years it has been discussed that way.

Ms. LaPisto-Kirtley said in reference to Ms. Mallek's question, it is not heavily used by pedestrians, but it is used by people who come to park. She said there will be additional parking along the road so that people can access the trails. She said they would not have any way of getting in there and therefore, they would be parking at Darden Towe and walking that extra distance. She said if it were made a one-way, however, this would eliminate the problem. She said people could come in to park and walk the trails. She said it would eliminate the heavy traffic that goes through the other way, from Elk Drive to Route 250, by going from Route 250 to Elk Drive. She said this could be a simpler solution.

Mr. McDermott said Ms. Mallek was correct that this is something that has been in discussed for a long time. He said there are recommendations in the Pantops Master Plan to evaluate that for some type of closure. He said it is currently a public road, and in the past, VDOT has not been thrilled with the way that road is set up. He said he thinks they would be willing to give it up if the County wanted to close that, or to change it to one-way. He said it will require an evaluation and study to identify what the best option is.

Mr. McDermott said he agrees with both Supervisors that something should be done. He said it is a nice parkway that is used fairly heavily by people recreating, and there is also some parking on there. He said he thinks it will take a larger evaluation, but staff will keep this in mind and discuss it internally to see if there is something they can do to move this along.

Agenda Item No. 14. **Closed Meeting.**

At 4:49 p.m., Ms. LaPisto-Kirtley moved that the Board go into Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia:

- Under Subsection (1), to discuss and consider appointments to the Board of Equalization, the Rivanna Water and Sewer Authority, the Rivanna Solid Waste Authority, the Thomas Jefferson Planning District Commission corporate board, seven advisory committees, and one task force; and
- Under Subsection (7), to consult with legal counsel and briefings by staff members pertaining to actual litigation involving real estate tax assessments.

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

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

Agenda Item No. 15. **Certify Closed Meeting.**

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

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

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

Agenda Item No. 16. Boards and Commissions:
Item No. 16. a. Vacancies and Appointments.

Ms. Price **moved** that the following individuals named be appointed to the respective committees:

- **Appoint** Ms. Leigh Kirchner to the Agricultural & Forestal District Advisory Committee with said term to expire April 17, 2024.
- **Reappoint** Mr. Shawn Bird and Mr. Timothy Kunkel to the Crozet Community Advisory Committee with said terms to expire March 31, 2023.
- **Appoint** Mr. Michael Monaco to the Crozet Community Advisory Committee with said term to expire March 31, 2023.
- **Reappoint** Mr. David Van Roijen to the Equalization Board as the Samuel Miller District representative with said term to expire December 31, 2021.
- **Appoint** Mr. Peter Daniel to the Historic Preservation Committee with said term to expire June 4, 2023.
- **Appoint** Ms. Emma Andrews to the Natural Heritage Committee to fill an unexpired term ending September 30, 2021.
- **Appoint** Mr. Christopher Rembold to the Places 29 (Hydraulic) Community Advisory Committee with said term to expire August 5, 2023.
- **Appoint** Mr. Steven Cameron, Ms. Virginia Newton, and Ms. Karen Gavrilovic to the Places 29 (North) Community Advisory Committee with said term to expire August 5, 2023.
- **Reappointed** Mr. Jeff Richardson and Mr. Lance Stewart to the Rivanna Solid Waste Authority with said terms to expire April 1, 2023.
- **Reappointed** Mr. Jeff Richardson and Mr. Gary O'Connell to the Rivanna Water and Sewer Authority with said terms to expire April 1, 2023.
- **Appointed** Mr. Peter Daniel to the Route 250 West Task Force to fill an unexpired term

ending September 5, 2021.

- **Appointed** Mr. Stuart Harris to the Solid Waste Advisory Committee to fill an unexpired term ending May 31, 2023.

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

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

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

There were none.

Agenda Item No. 18. **Public Hearing: An Ordinance to Authorize the One-Time Payment of a Monetary Bonus to Employees of the County of Albemarle, Virginia.** To receive public comment on its intent to adopt an ordinance to authorize the one-time payment of a monetary bonus to eligible employees of Albemarle County pursuant to Virginia Code § 15.2-1508. The ordinance would authorize a payment of \$1,000.00 to eligible full-time and part-time employees who fill a total position of 0.7 full time equivalent and above, and a payment of \$750.00 to eligible part-time employees who fill a total position of less than 0.7 full time equivalent.

The Executive Summary forwarded to the Board states that at the January 28, 2021, meeting, the Board directed staff to pay one-time lump sum bonuses for regular County employees in Spring 2021. To do so requires the adoption of an ordinance authorizing such payments.

Given the uncertainty of the pandemic, the County did not provide salary increases for General Government or School Division employees in FY 21 (current year). In recognition of the dedication that our employees have shown in these ever-changing times, the Board was in favor of providing employees with a one-time, lump-sum payment in April 2021. Regular full-time and part-time employees with a total 0.7 full-time equivalent and above receive \$1,000; regular part-time employees with a total full-time equivalent below 0.7 receive \$750. To be eligible, employees must have been hired before January 1, 2021 and be an active regular employee as of April 1, 2021.

The attached Ordinance authorizes bonus payments for County employees under the authority of the Board of Supervisors only, and is contingent upon the approval of Appropriation #2021057, included as part of the Budget Appropriations item being presented to the Board for its consideration on April 7.

The School Board approved the one-time lump sum payment for its employees on February 11, 2021, and approved the related appropriation on March 11, 2021. That appropriation is included in the Budget Appropriations item being presented to the Board of Supervisors on April 7, as Appropriation #2021057.

In addition, Appropriation #2021059, also included in the April 7 Appropriations agenda item, would fund the one-time lump sum payment for the employees of the Registrar, the County Circuit Court Clerk, the County's Commonwealth's Attorney, and the Sheriff.

The cost of funding the bonuses for employees who report to the Board of Supervisors is expected to be \$739,623. The sources of funding are General Fund and General Fund School Reserve Fund fund balances.

Following the Public Hearing, staff recommends that the Board adopt the attached proposed ordinance.

Ms. Lorna Gerome, Director of Human Resources, said staff needed the Board to approve the ordinance. She said at the January 28 Board meeting, the Board directed staff to develop this recommendation. She said they felt County employees deserve recognition, having not received a pay increase last year, for the excellent work they have done throughout the pandemic. She said because it is a lump sum bonus, it requires an ordinance, which was before the Board that evening. She asked Mr. Kamptner if he wanted to provide any additional information.

Mr. Kamptner said Virginia Code requires that the Board authorize bonuses to County employees, to which the ordinance is limited in scope.

Mr. Gallaway asked if there were any members from the public signed up to speak to the item. As there were no public signups, he closed the public comment portion of the hearing and put the matter before the Board.

Ms. Mallek thanked staff for the hard work they have done.

Ms. LaPisto-Kirtley echoed Ms. Mallek's statement.

Ms. Price said she was very proud to be able to support recognizing the work that all County staff have done in a very difficult year without a pay raise, with fewer people doing more work. She said she wholeheartedly supports the proposal.

Ms. McKeel agreed and supported the proposal. She said it has been a very challenging year, and they have all managed to keep work moving, with citizens as the beneficiary. She thanked all the County employees.

Ms. McKeel **moved** to adopt the ordinance to authorize one-time payment of a monetary bonus to employees of the County of Albemarle, Virginia.

Ms. Palmer **seconded** the motion.

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

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

Mr. Gallaway said as the Supervisors noted, they all appreciate the work staff does with the unanimous vote to provide this bonus.

Ms. Gerome said she knew the staff would appreciate it.

ORDINANCE NO. 21-A(4)

AN ORDINANCE TO AUTHORIZE THE ONE-TIME PAYMENT OF A MONETARY BONUS TO EMPLOYEES OF THE COUNTY OF ALBEMARLE, VIRGINIA

WHEREAS, in recognition of the hard work and dedication of County employees to maintain the continuity of operations and services for the citizens of Albemarle County during the unprecedented conditions resulting from the COVID-19 pandemic, and given the lack of a salary increase in the FY 2021 budget, the Albemarle County Board of Supervisors has determined that a one-time monetary bonus shall be granted to County employees who report up to the Board of Supervisors ("County employees"); and

WHEREAS, the Board is authorized by Virginia Code § 15.2-1508 to provide for payment of monetary bonuses; and

WHEREAS, an appropriation to fund the one-time monetary bonus, which is contingent upon the adoption of this ordinance, is included as part of an appropriation going to the Board of Supervisors for consideration on April 7, 2021.

NOW, THEREFORE, BE IT ORDAINED that, pursuant to the authority in Virginia Code § 15.2-1508, the Albemarle County Board of Supervisors hereby authorizes the one-time payment of a monetary bonus as follows:

1. A one-time payment of \$1,000 shall be paid to all full-time and part-time regular County employees who:
 - A. have a start date before January 1, 2021;
 - B. are an active employee as of April 1, 2021; and
 - C. fill a total full time equivalent of 0.7 and above.
2. A one-time payment of \$750 shall be paid to all part-time regular County employees who:
 - A. have a start date before January 1, 2021;
 - B. are an active employee as of April 1, 2021; and
 - C. fill a total full time equivalent of less than 0.7.

Agenda Item No. 19. **Public Hearing: FY 2021 Budget Amendment and Appropriations.**

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

The cumulative total of the FY 2021 appropriations itemized below is \$7,548,165.41. Because the cumulative amount of the appropriations exceeds one percent of the currently adopted budget, a budget amendment public hearing is required.

The proposed increase of this FY 2021 Budget Amendment totals \$7,548,165.41. The estimated expenses and revenues included in the proposed amendment are shown below.

PROPOSED FY 2020-21 BUDGET AMENDMENT

ESTIMATED REVENUES

Local Revenues	\$	330,333.71
State Revenues	\$	4,500.00
General Fund Fund Balance	\$	803,136.00
Other Fund Balances	\$	6,410,195.70
TOTAL ESTIMATED REVENUES	\$	7,548,165.41

ESTIMATED EXPENDITURES

General Fund	\$	769,618.00
Special Revenue Funds	\$	34,325.00
School Fund	\$	2,661,108.00
School Special Revenue Funds	\$	3,328,201.41
Emergency Communications Center	\$	745,220.00
Capital Projects	\$	9,693.00
TOTAL ESTIMATED EXPENDITURES	\$	7,548,165.41

The budget amendment is comprised of a total of eight (8) separate appropriations. Three (3) have already been approved by the Board as indicated below:

One (1) appropriation approved 2/3/2021.

Two (2) appropriations approved 3/17/2021.

Five (5) appropriation requests for approval on April 7, 2021 are the remaining 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.

* * *

Appropriation #2021055

\$0.00

Source: Reserve for Contingencies* \$32,800.00

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

This request is to appropriate \$32,800.00 from the Reserve for Contingencies to the Department of Voter Registration and Elections for election officer management software to efficiently manage recruitment, appointment, training, deployment, and payment of the increasing number of election officers due to early voting.

After approval of the appropriations in this attachment, the FY 21 General Fund Reserve for Contingencies balance will be \$479,927.39. Of that amount, \$111,797.00 is for unanticipated expenses that may require ongoing funding and \$368,130.39 is for expenses that may require one-time funding.

Appropriation #2021056

\$6,000.00

Source: Economic Development Fund* \$ 10,000.00
Local Revenue 6,000.00

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

This request is to appropriate the following economic development-related items:

- \$10,000.00 from the Economic Development Fund's Job Opportunities Fund to the Economic Development Authority (EDA) to provide a local match to the Virginia Jobs Investment Program ("VJIP") grant awarded to Afton Scientific, LLC, by the Virginia Economic Development Partnership ("VEDP"). The local match will be managed through an agreement between the EDA and Afton Scientific, LLC.
- \$6,000.00 in revenue from the City of Charlottesville to the Economic Development Fund's Investment Pool to support a Buy Local Campaign. The County Economic Development Office is promoting "buy local" to help local businesses, particularly during the pandemic, and the City Economic Development Office is contributing to these efforts.

Appropriation #2021057

\$3,400,731.00

Source: General Fund School Reserve Fund's Fund Balance \$ 2,661,108.00
General Fund's Fund Balance \$ 739,623.00

This request is to appropriate \$3,400,731.00 in fund balances to provide employees with a one-time, lump sum payment in April 2021. For local government employees directly governed by the Board of

Supervisors, this one-time, lump sum payment is pursuant to the Board of Supervisor’s direction at the January 28, 2021 meeting and contingent upon adoption of Ordinance No. 21-A(4) at the meeting on April 7, 2021. Ordinance No. 21-A(4) states the terms of the one-time lump sum payment to local government employees. For school employees, this one-time lump sum payment is pursuant to the March 11, 2021 request by the Albemarle County School Board for such an appropriation, would be paid to each regular employee employed before January 1, 2021 and receiving an April 2021 paycheck. The amount of the payment would be \$1,000 to each regular employee working from 0.7 full time equivalent (FTE) to 1.0 FTE and \$750 for each regular employee working less than 0.7 FTE. This appropriation includes FICA costs.

School Fund	\$	2,661,108.00
General Fund	\$	701,605.00
Darden Towe Memorial Park	\$	2,154.00
Bright Stars Program	\$	23,210.00
Victim Witness Grant	\$	2,961.00
Project Management Services (Gen. Govt. Capital Fund)	\$	9,693.00
TOTAL	\$	3,400,731.00

This proposed use of the General Fund fund balance will not reduce the County’s 10% unassigned fund balance or 1% Budget Stabilization Reserve; however, it does reduce the amount of FY 20 undesignated funds that would be available for other uses in the future.

Appropriation #2021058 **\$4,500.00**

Source: State Revenues \$4,500.00

This request is to appropriate \$4,500.00 in Virginia Commission for the Arts’ Creative Communities Partnership Grant revenue to supplement the County’s local contribution to the Paramount Theater and the Virginia Discovery Museum.

Appropriation #2021059 **\$63,513.00**

Source: General Fund’s Fund Balance \$ 63,513.00

This request is to appropriate \$63,513.00 in General Fund’s fund balance to provide employees of the Constitutional Officers, Voter Registration and Elections, and Circuit Court with a one-time, lump sum payment in April 2021, and would be paid to each regular employee employed before January 1, 2021 and receiving an April 2021 paycheck. The amount of the payment would be \$1,000 to each regular employee working from 0.7 full time equivalent (FTE) to 1.0 FTE and \$750 for each regular employee working less than 0.7 FTE. This appropriation includes FICA costs.

This proposed use of the General Fund fund balance will not reduce the County’s 10% unassigned fund balance or 1% Budget Stabilization Reserve; however, it does reduce the amount of FY 20 undesignated funds that would be available for other uses in the future.

Mr. Andy Bowman, Chief of Budget in the Budget Division of the Department of Finance and Budget, said this item is a public hearing and action item to amend the FY 21 budget. He said he would have a few brief comments before turning it over to the Board for questions and the public hearing.

Mr. Bowman said under Virginia Code, a public hearing is required before amending the budget when the total amount of funds exceeds 1% of the currently adopted budget. He said this was the case that evening, as there was an amendment for approximately \$7.5 million. He said this amendment is primarily made up of about \$4 million in appropriations that were approved by the Board at prior meetings, and most significantly that evening, there was the follow-up to the item that Ms. Gerome spoke about – a total of \$3.5 million in one-time lump sum payments to employees related to the ordinance that the Board just approved.

Mr. Bowman said Attachment A contained all the details on the appropriations for approval that evening. He said after the public hearing, staff recommends that the Board adopt the resolution (Attachment B).

As there were no questions from the Board, Mr. Gallaway asked if there was anyone signed up from the public to speak. As no one was signed up, he closed the public comment portion and brought the matter back before the Board.

Ms. McKeel **moved** 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.

Ms. Mallek **seconded** the motion.

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

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

**RESOLUTION TO APPROVE
ADDITIONAL FY 2021 APPROPRIATIONS**

BE IT RESOLVED by the Albemarle County Board of Supervisors:

- 1) That the FY 21 Budget is amended to increase it by \$7,548,165.41;
- 2) That Appropriations #2021055; #2021056; #2021057, #2021058 and #2021059 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, 2021.

APP#	Account String	Description	Amount
2021055	4-1000-13020-413020-332130-1001	SA2021055: Registrar Election Offcr Mgt SW - Tech Maint/Support	\$32,800.00
2021055	4-1000-99900-499000-999990-9999	SA2021055: Registrar Election Offcr Mgt SW - Reserve for Contingencies	-\$32,800.00
2021056	4-1820-99900-499000-999987-1008	SA2021056 ED Fund to EDA - Afton VJIP	-\$10,000.00
2021056	4-1820-93010-493010-930222-1008	SA2021056 ED Fund to EDA - Afton VJIP	\$10,000.00
2021056	3-6850-51000-351000-512000-9999	SA2021056 ED Fund to EDA - Afton VJIP	\$10,000.00
2021056	4-6850-91095-491095-950029-1008	SA2021056 ED Fund to EDA - Afton VJIP	\$10,000.00
2021056	3-1820-19000-319000-191200-1008	SA2021056 Cville EDO buy local	\$6,000.00
2021056	4-1820-81050-481050-360000-1008	SA2021056 Cville EDO buy local	\$6,000.00
2021057	4-2000-62100-461102-160060-6251	SA2021057 Other Comp-Bonus	\$2,000.00
2021057	4-2000-62100-461108-160060-6101	SA2021057 Other Comp-Bonus	\$8,000.00
2021057	4-2000-62100-461108-160060-6102	SA2021057 Other Comp-Bonus	\$3,000.00
2021057	4-2000-62100-461108-160060-6105	SA2021057 Other Comp-Bonus	\$2,000.00
2021057	4-2000-62100-461108-160060-6110	SA2021057 Other Comp-Bonus	\$5,000.00
2021057	4-2000-62100-461108-160060-6111	SA2021057 Other Comp-Bonus	\$3,000.00
2021057	4-2000-62100-461108-160060-6112	SA2021057 Other Comp-Bonus	\$3,000.00
2021057	4-2000-62100-461108-160060-6114	SA2021057 Other Comp-Bonus	\$4,000.00
2021057	4-2000-62100-461108-160060-6115	SA2021057 Other Comp-Bonus	\$2,000.00
2021057	4-2000-62100-461108-160060-6116	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62100-461108-160060-6117	SA2021057 Other Comp-Bonus	\$3,000.00
2021057	4-2000-62100-461112-160060-6301	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62100-461140-160060-6102	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62100-461140-160060-6105	SA2021057 Other Comp-Bonus	\$750.00
2021057	4-2000-62100-461140-160060-6106	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62100-461140-160060-6253	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62100-461140-160060-6254	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62100-461530-160060-6103	SA2021057 Other Comp-Bonus	\$750.00
2021057	4-2000-62100-461530-160060-6106	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62100-461530-160060-6112	SA2021057 Other Comp-Bonus	\$2,000.00
2021057	4-2000-62100-461530-160060-6114	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62100-461565-160060-6101	SA2021057 Other Comp-Bonus	\$12,000.00
2021057	4-2000-62100-461565-160060-6102	SA2021057 Other Comp-Bonus	\$36,750.00
2021057	4-2000-62100-461565-160060-6103	SA2021057 Other Comp-Bonus	\$18,750.00
2021057	4-2000-62100-461565-160060-6104	SA2021057 Other Comp-Bonus	\$30,750.00
2021057	4-2000-62100-461565-160060-6105	SA2021057 Other Comp-Bonus	\$17,000.00
2021057	4-2000-62100-461565-160060-6106	SA2021057 Other Comp-Bonus	\$14,750.00
2021057	4-2000-62100-461565-160060-6107	SA2021057 Other Comp-Bonus	\$8,750.00
2021057	4-2000-62100-461565-160060-6109	SA2021057 Other Comp-Bonus	\$10,250.00
2021057	4-2000-62100-461565-160060-6110	SA2021057 Other Comp-Bonus	\$24,250.00
2021057	4-2000-62100-461565-160060-6111	SA2021057 Other Comp-Bonus	\$12,000.00
2021057	4-2000-62100-461565-160060-6112	SA2021057 Other Comp-Bonus	\$28,250.00
2021057	4-2000-62100-461565-160060-6114	SA2021057 Other Comp-Bonus	\$38,000.00
2021057	4-2000-62100-461565-160060-6115	SA2021057 Other Comp-Bonus	\$11,750.00
2021057	4-2000-62100-461565-160060-6116	SA2021057 Other Comp-Bonus	\$23,250.00
2021057	4-2000-62100-461565-160060-6117	SA2021057 Other Comp-Bonus	\$32,250.00

April 7, 2021 (Regular Meeting)
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[illegible]

April 7, 2021 (Regular Meeting)
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[illegible]

April 7, 2021 (Regular Meeting)
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2021057	4-2000-62112-461814-160060-6499	SA2021057 Other Comp-Bonus	\$17,000.00
2021057	4-2000-62112-462210-160060-6501	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62112-462220-160060-6501	SA2021057 Other Comp-Bonus	\$2,000.00
2021057	4-2000-62112-462230-160060-6499	SA2021057 Other Comp-Bonus	\$13,500.00
2021057	4-2000-62112-462230-160060-6501	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62114-461320-160060-6502	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62115-468200-160060-6116	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62115-468200-160060-6501	SA2021057 Other Comp-Bonus	\$7,000.00
2021057	4-2000-62115-468200-160060-6503	SA2021057 Other Comp-Bonus	\$11,000.00
2021057	4-2000-62115-468300-160060-6101	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62115-468300-160060-6102	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62115-468300-160060-6103	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62115-468300-160060-6106	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62115-468300-160060-6109	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62115-468300-160060-6112	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62115-468300-160060-6114	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62115-468300-160060-6117	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62115-468300-160060-6252	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62115-468300-160060-6254	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62115-468300-160060-6255	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62115-468300-160060-6301	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62115-468300-160060-6302	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62115-468300-160060-6304	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62115-468300-160060-6501	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62115-468300-160060-6503	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62115-468400-160060-6102	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62115-468400-160060-6251	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62115-468400-160060-6252	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62115-468400-160060-6253	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62115-468400-160060-6254	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62115-468400-160060-6255	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62115-468400-160060-6301	SA2021057 Other Comp-Bonus	\$2,000.00
2021057	4-2000-62115-468400-160060-6302	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62115-468400-160060-6304	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62115-468400-160060-6503	SA2021057 Other Comp-Bonus	\$8,000.00
2021057	4-2000-62117-461311-160060-6502	SA2021057 Other Comp-Bonus	\$2,000.00
2021057	4-2000-62118-461311-160060-6501	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62118-461337-160060-6501	SA2021057 Other Comp-Bonus	\$3,000.00
2021057	4-2000-62118-462150-160060-6501	SA2021057 Other Comp-Bonus	\$4,000.00
2021057	4-2000-62119-461112-160060-6499	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62119-461341-160060-6501	SA2021057 Other Comp-Bonus	\$3,000.00
2021057	4-2000-62202-461101-160060-6102	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62251-461140-160060-6251	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62301-461140-160060-6301	SA2021057 Other Comp-Bonus	\$750.00
2021057	4-2000-62410-462110-160060-6501	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62410-462120-160060-6501	SA2021057 Other Comp-Bonus	\$3,000.00
2021057	4-2000-62410-462122-160060-6501	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62411-461241-160060-6501	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62411-461344-160060-6501	SA2021057 Other Comp-Bonus	\$3,000.00
2021057	4-2000-62411-462130-160060-6501	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62420-462140-160060-6501	SA2021057 Other Comp-Bonus	\$22,000.00
2021057	4-2000-62430-462150-160060-6501	SA2021057 Other Comp-Bonus	\$3,000.00
2021057	4-2000-62431-462160-160060-6501	SA2021057 Other Comp-Bonus	\$7,000.00
2021057	4-2000-62432-462310-160060-6504	SA2021057 Other Comp-Bonus	\$11,000.00
2021057	4-2000-62432-462320-160060-6504	SA2021057 Other Comp-Bonus	\$185,750.00
2021057	4-2000-62432-462340-160060-6504	SA2021057 Other Comp-Bonus	\$11,000.00

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2021057	4-2000-62101-465101-160060-6115	SA2021057 Other Comp-Bonus	\$1,750.00
2021057	4-2000-62101-465101-160060-6116	SA2021057 Other Comp-Bonus	\$3,000.00
2021057	4-2000-62101-465101-160060-6117	SA2021057 Other Comp-Bonus	\$3,250.00
2021057	4-2000-62101-465102-160060-6251	SA2021057 Other Comp-Bonus	\$4,500.00
2021057	4-2000-62101-465102-160060-6252	SA2021057 Other Comp-Bonus	\$2,500.00
2021057	4-2000-62101-465102-160060-6253	SA2021057 Other Comp-Bonus	\$3,500.00
2021057	4-2000-62101-465102-160060-6254	SA2021057 Other Comp-Bonus	\$2,750.00
2021057	4-2000-62101-465102-160060-6255	SA2021057 Other Comp-Bonus	\$3,500.00
2021057	4-2000-62101-465103-160060-6301	SA2021057 Other Comp-Bonus	\$4,500.00
2021057	4-2000-62101-465103-160060-6302	SA2021057 Other Comp-Bonus	\$5,750.00
2021057	4-2000-62101-465103-160060-6304	SA2021057 Other Comp-Bonus	\$7,750.00
2021057	4-2000-62101-465301-160060-6102	SA2021057 Other Comp-Bonus	\$3,500.00
2021057	4-2000-62101-465301-160060-6103	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62101-465301-160060-6104	SA2021057 Other Comp-Bonus	\$1,750.00
2021057	4-2000-62101-465301-160060-6105	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62101-465301-160060-6106	SA2021057 Other Comp-Bonus	\$1,500.00
2021057	4-2000-62101-465301-160060-6107	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62101-465301-160060-6110	SA2021057 Other Comp-Bonus	\$750.00
2021057	4-2000-62101-465301-160060-6111	SA2021057 Other Comp-Bonus	\$1,750.00
2021057	4-2000-62101-465301-160060-6112	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62101-465301-160060-6114	SA2021057 Other Comp-Bonus	\$5,750.00
2021057	4-2000-62101-465301-160060-6115	SA2021057 Other Comp-Bonus	\$1,750.00
2021057	4-2000-62101-465301-160060-6116	SA2021057 Other Comp-Bonus	\$1,000.00
2021057	4-2000-62101-465301-160060-6117	SA2021057 Other Comp-Bonus	\$3,750.00
2021057	4-2000-62101-465301-160060-6521	SA2021057 Other Comp-Bonus	\$3,000.00
2021057	4-2000-62101-496010-160060-9999	SA2021057 FICA-Bonus	\$25,250.00
2021057	4-2000-62100-461102-210000-6251	SA2021057 FICA-Bonus	\$153.00
2021057	4-2000-62100-461108-210000-6101	SA2021057 FICA-Bonus	\$612.00
2021057	4-2000-62100-461108-210000-6102	SA2021057 FICA-Bonus	\$229.50
2021057	4-2000-62100-461108-210000-6105	SA2021057 FICA-Bonus	\$153.00
2021057	4-2000-62100-461108-210000-6110	SA2021057 FICA-Bonus	\$382.50
2021057	4-2000-62100-461108-210000-6111	SA2021057 FICA-Bonus	\$229.50
2021057	4-2000-62100-461108-210000-6112	SA2021057 FICA-Bonus	\$229.50
2021057	4-2000-62100-461108-210000-6114	SA2021057 FICA-Bonus	\$306.00
2021057	4-2000-62100-461108-210000-6115	SA2021057 FICA-Bonus	\$153.00
2021057	4-2000-62100-461108-210000-6116	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461108-210000-6117	SA2021057 FICA-Bonus	\$229.50
2021057	4-2000-62100-461112-210000-6301	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461140-210000-6102	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461140-210000-6105	SA2021057 FICA-Bonus	\$57.38
2021057	4-2000-62100-461140-210000-6106	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461140-210000-6253	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461140-210000-6254	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461530-210000-6103	SA2021057 FICA-Bonus	\$57.38
2021057	4-2000-62100-461530-210000-6106	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461530-210000-6112	SA2021057 FICA-Bonus	\$153.00
2021057	4-2000-62100-461530-210000-6114	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461565-210000-6101	SA2021057 FICA-Bonus	\$918.00
2021057	4-2000-62100-461565-210000-6102	SA2021057 FICA-Bonus	\$2,811.38
2021057	4-2000-62100-461565-210000-6103	SA2021057 FICA-Bonus	\$1,434.38
2021057	4-2000-62100-461565-210000-6104	SA2021057 FICA-Bonus	\$2,352.38
2021057	4-2000-62100-461565-210000-6105	SA2021057 FICA-Bonus	\$1,300.50
2021057	4-2000-62100-461565-210000-6106	SA2021057 FICA-Bonus	\$1,128.38
2021057	4-2000-62100-461565-210000-6107	SA2021057 FICA-Bonus	\$669.38
2021057	4-2000-62100-461565-210000-6109	SA2021057 FICA-Bonus	\$784.13
2021057	4-2000-62100-461565-210000-6110	SA2021057 FICA-Bonus	\$1,855.13

2021057	4-2000-62100-461565-210000-6111	SA2021057 FICA-Bonus	\$918.00
2021057	4-2000-62100-461565-210000-6112	SA2021057 FICA-Bonus	\$2,161.13
2021057	4-2000-62100-461565-210000-6114	SA2021057 FICA-Bonus	\$2,907.00
2021057	4-2000-62100-461565-210000-6115	SA2021057 FICA-Bonus	\$898.88
2021057	4-2000-62100-461565-210000-6116	SA2021057 FICA-Bonus	\$1,778.63
2021057	4-2000-62100-461565-210000-6117	SA2021057 FICA-Bonus	\$2,467.13
2021057	4-2000-62100-461570-210000-6101	SA2021057 FICA-Bonus	\$306.00
2021057	4-2000-62100-461570-210000-6102	SA2021057 FICA-Bonus	\$1,147.50
2021057	4-2000-62100-461570-210000-6103	SA2021057 FICA-Bonus	\$459.00
2021057	4-2000-62100-461570-210000-6104	SA2021057 FICA-Bonus	\$765.00
2021057	4-2000-62100-461570-210000-6105	SA2021057 FICA-Bonus	\$535.50
2021057	4-2000-62100-461570-210000-6106	SA2021057 FICA-Bonus	\$516.38
2021057	4-2000-62100-461570-210000-6107	SA2021057 FICA-Bonus	\$306.00
2021057	4-2000-62100-461570-210000-6109	SA2021057 FICA-Bonus	\$382.50
2021057	4-2000-62100-461570-210000-6110	SA2021057 FICA-Bonus	\$612.00
2021057	4-2000-62100-461570-210000-6111	SA2021057 FICA-Bonus	\$306.00
2021057	4-2000-62100-461570-210000-6112	SA2021057 FICA-Bonus	\$669.38
2021057	4-2000-62100-461570-210000-6114	SA2021057 FICA-Bonus	\$918.00
2021057	4-2000-62100-461570-210000-6115	SA2021057 FICA-Bonus	\$306.00
2021057	4-2000-62100-461570-210000-6116	SA2021057 FICA-Bonus	\$688.50
2021057	4-2000-62100-461570-210000-6117	SA2021057 FICA-Bonus	\$975.38
2021057	4-2000-62100-461575-210000-6101	SA2021057 FICA-Bonus	\$229.50
2021057	4-2000-62100-461575-210000-6102	SA2021057 FICA-Bonus	\$573.75
2021057	4-2000-62100-461575-210000-6103	SA2021057 FICA-Bonus	\$286.88
2021057	4-2000-62100-461575-210000-6104	SA2021057 FICA-Bonus	\$382.50
2021057	4-2000-62100-461575-210000-6105	SA2021057 FICA-Bonus	\$306.00
2021057	4-2000-62100-461575-210000-6106	SA2021057 FICA-Bonus	\$229.50
2021057	4-2000-62100-461575-210000-6107	SA2021057 FICA-Bonus	\$153.00
2021057	4-2000-62100-461575-210000-6109	SA2021057 FICA-Bonus	\$133.88
2021057	4-2000-62100-461575-210000-6110	SA2021057 FICA-Bonus	\$306.00
2021057	4-2000-62100-461575-210000-6111	SA2021057 FICA-Bonus	\$210.38
2021057	4-2000-62100-461575-210000-6112	SA2021057 FICA-Bonus	\$363.38
2021057	4-2000-62100-461575-210000-6114	SA2021057 FICA-Bonus	\$535.50
2021057	4-2000-62100-461575-210000-6115	SA2021057 FICA-Bonus	\$133.88
2021057	4-2000-62100-461575-210000-6116	SA2021057 FICA-Bonus	\$306.00
2021057	4-2000-62100-461575-210000-6117	SA2021057 FICA-Bonus	\$516.38
2021057	4-2000-62100-461605-210000-6251	SA2021057 FICA-Bonus	\$153.00
2021057	4-2000-62100-461605-210000-6252	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461605-210000-6253	SA2021057 FICA-Bonus	\$229.50
2021057	4-2000-62100-461605-210000-6254	SA2021057 FICA-Bonus	\$229.50
2021057	4-2000-62100-461610-210000-6251	SA2021057 FICA-Bonus	\$745.88
2021057	4-2000-62100-461610-210000-6252	SA2021057 FICA-Bonus	\$994.50
2021057	4-2000-62100-461610-210000-6253	SA2021057 FICA-Bonus	\$765.00
2021057	4-2000-62100-461610-210000-6254	SA2021057 FICA-Bonus	\$459.00
2021057	4-2000-62100-461610-210000-6255	SA2021057 FICA-Bonus	\$612.00
2021057	4-2000-62100-461610-210000-6280	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461615-210000-6251	SA2021057 FICA-Bonus	\$306.00
2021057	4-2000-62100-461615-210000-6252	SA2021057 FICA-Bonus	\$535.50
2021057	4-2000-62100-461615-210000-6253	SA2021057 FICA-Bonus	\$459.00
2021057	4-2000-62100-461615-210000-6254	SA2021057 FICA-Bonus	\$229.50
2021057	4-2000-62100-461615-210000-6255	SA2021057 FICA-Bonus	\$306.00
2021057	4-2000-62100-461615-210000-6280	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461620-210000-6251	SA2021057 FICA-Bonus	\$765.00
2021057	4-2000-62100-461620-210000-6252	SA2021057 FICA-Bonus	\$918.00
2021057	4-2000-62100-461620-210000-6253	SA2021057 FICA-Bonus	\$918.00
2021057	4-2000-62100-461620-210000-6254	SA2021057 FICA-Bonus	\$459.00

2021057	4-2000-62100-461620-210000-6255	SA2021057 FICA-Bonus	\$535.50
2021057	4-2000-62100-461620-210000-6280	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461625-210000-6251	SA2021057 FICA-Bonus	\$382.50
2021057	4-2000-62100-461625-210000-6252	SA2021057 FICA-Bonus	\$459.00
2021057	4-2000-62100-461625-210000-6253	SA2021057 FICA-Bonus	\$459.00
2021057	4-2000-62100-461625-210000-6254	SA2021057 FICA-Bonus	\$229.50
2021057	4-2000-62100-461625-210000-6255	SA2021057 FICA-Bonus	\$306.00
2021057	4-2000-62100-461625-210000-6280	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461630-210000-6251	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461630-210000-6252	SA2021057 FICA-Bonus	\$153.00
2021057	4-2000-62100-461630-210000-6253	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461630-210000-6254	SA2021057 FICA-Bonus	\$133.88
2021057	4-2000-62100-461630-210000-6255	SA2021057 FICA-Bonus	\$153.00
2021057	4-2000-62100-461635-210000-6251	SA2021057 FICA-Bonus	\$306.00
2021057	4-2000-62100-461635-210000-6252	SA2021057 FICA-Bonus	\$382.50
2021057	4-2000-62100-461635-210000-6253	SA2021057 FICA-Bonus	\$306.00
2021057	4-2000-62100-461635-210000-6254	SA2021057 FICA-Bonus	\$153.00
2021057	4-2000-62100-461635-210000-6255	SA2021057 FICA-Bonus	\$229.50
2021057	4-2000-62100-461680-210000-6251	SA2021057 FICA-Bonus	\$382.50
2021057	4-2000-62100-461680-210000-6252	SA2021057 FICA-Bonus	\$363.38
2021057	4-2000-62100-461680-210000-6253	SA2021057 FICA-Bonus	\$306.00
2021057	4-2000-62100-461680-210000-6254	SA2021057 FICA-Bonus	\$210.38
2021057	4-2000-62100-461680-210000-6255	SA2021057 FICA-Bonus	\$382.50
2021057	4-2000-62100-461680-210000-6280	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461705-210000-6301	SA2021057 FICA-Bonus	\$669.38
2021057	4-2000-62100-461705-210000-6302	SA2021057 FICA-Bonus	\$306.00
2021057	4-2000-62100-461705-210000-6304	SA2021057 FICA-Bonus	\$229.50
2021057	4-2000-62100-461710-210000-6301	SA2021057 FICA-Bonus	\$1,300.50
2021057	4-2000-62100-461710-210000-6302	SA2021057 FICA-Bonus	\$841.50
2021057	4-2000-62100-461710-210000-6303	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461710-210000-6304	SA2021057 FICA-Bonus	\$841.50
2021057	4-2000-62100-461710-210000-6308	SA2021057 FICA-Bonus	\$153.00
2021057	4-2000-62100-461715-210000-6301	SA2021057 FICA-Bonus	\$1,530.00
2021057	4-2000-62100-461715-210000-6302	SA2021057 FICA-Bonus	\$688.50
2021057	4-2000-62100-461715-210000-6303	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461715-210000-6304	SA2021057 FICA-Bonus	\$937.13
2021057	4-2000-62100-461715-210000-6308	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461720-210000-6251	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461720-210000-6301	SA2021057 FICA-Bonus	\$1,434.38
2021057	4-2000-62100-461720-210000-6302	SA2021057 FICA-Bonus	\$688.50
2021057	4-2000-62100-461720-210000-6303	SA2021057 FICA-Bonus	\$153.00
2021057	4-2000-62100-461720-210000-6304	SA2021057 FICA-Bonus	\$841.50
2021057	4-2000-62100-461725-210000-6301	SA2021057 FICA-Bonus	\$1,434.38
2021057	4-2000-62100-461725-210000-6302	SA2021057 FICA-Bonus	\$918.00
2021057	4-2000-62100-461725-210000-6303	SA2021057 FICA-Bonus	\$153.00
2021057	4-2000-62100-461725-210000-6304	SA2021057 FICA-Bonus	\$765.00
2021057	4-2000-62100-461730-210000-6301	SA2021057 FICA-Bonus	\$918.00
2021057	4-2000-62100-461730-210000-6302	SA2021057 FICA-Bonus	\$631.13
2021057	4-2000-62100-461730-210000-6303	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461730-210000-6304	SA2021057 FICA-Bonus	\$516.38
2021057	4-2000-62100-461735-210000-6301	SA2021057 FICA-Bonus	\$535.50
2021057	4-2000-62100-461735-210000-6302	SA2021057 FICA-Bonus	\$229.50
2021057	4-2000-62100-461735-210000-6304	SA2021057 FICA-Bonus	\$306.00
2021057	4-2000-62100-461740-210000-6301	SA2021057 FICA-Bonus	\$153.00
2021057	4-2000-62100-461740-210000-6302	SA2021057 FICA-Bonus	\$153.00
2021057	4-2000-62100-461740-210000-6304	SA2021057 FICA-Bonus	\$153.00

2021057	4-2000-62100-461754-210000-6251	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461754-210000-6252	SA2021057 FICA-Bonus	\$153.00
2021057	4-2000-62100-461754-210000-6253	SA2021057 FICA-Bonus	\$133.88
2021057	4-2000-62100-461755-210000-6301	SA2021057 FICA-Bonus	\$153.00
2021057	4-2000-62100-461755-210000-6302	SA2021057 FICA-Bonus	\$153.00
2021057	4-2000-62100-461755-210000-6304	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461760-210000-6252	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461760-210000-6301	SA2021057 FICA-Bonus	\$803.25
2021057	4-2000-62100-461760-210000-6302	SA2021057 FICA-Bonus	\$918.00
2021057	4-2000-62100-461760-210000-6303	SA2021057 FICA-Bonus	\$153.00
2021057	4-2000-62100-461760-210000-6304	SA2021057 FICA-Bonus	\$1,071.00
2021057	4-2000-62100-461802-210000-6101	SA2021057 FICA-Bonus	\$612.00
2021057	4-2000-62100-461802-210000-6102	SA2021057 FICA-Bonus	\$1,204.88
2021057	4-2000-62100-461802-210000-6103	SA2021057 FICA-Bonus	\$439.88
2021057	4-2000-62100-461802-210000-6104	SA2021057 FICA-Bonus	\$1,071.00
2021057	4-2000-62100-461802-210000-6105	SA2021057 FICA-Bonus	\$841.50
2021057	4-2000-62100-461802-210000-6106	SA2021057 FICA-Bonus	\$459.00
2021057	4-2000-62100-461802-210000-6107	SA2021057 FICA-Bonus	\$363.38
2021057	4-2000-62100-461802-210000-6109	SA2021057 FICA-Bonus	\$459.00
2021057	4-2000-62100-461802-210000-6110	SA2021057 FICA-Bonus	\$1,300.50
2021057	4-2000-62100-461802-210000-6111	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461802-210000-6112	SA2021057 FICA-Bonus	\$918.00
2021057	4-2000-62100-461802-210000-6114	SA2021057 FICA-Bonus	\$1,434.38
2021057	4-2000-62100-461802-210000-6115	SA2021057 FICA-Bonus	\$688.50
2021057	4-2000-62100-461802-210000-6116	SA2021057 FICA-Bonus	\$688.50
2021057	4-2000-62100-461802-210000-6117	SA2021057 FICA-Bonus	\$1,625.63
2021057	4-2000-62100-461805-210000-6251	SA2021057 FICA-Bonus	\$1,071.00
2021057	4-2000-62100-461805-210000-6252	SA2021057 FICA-Bonus	\$1,377.00
2021057	4-2000-62100-461805-210000-6253	SA2021057 FICA-Bonus	\$1,185.75
2021057	4-2000-62100-461805-210000-6254	SA2021057 FICA-Bonus	\$994.50
2021057	4-2000-62100-461805-210000-6255	SA2021057 FICA-Bonus	\$841.50
2021057	4-2000-62100-461805-210000-6280	SA2021057 FICA-Bonus	\$153.00
2021057	4-2000-62100-461808-210000-6301	SA2021057 FICA-Bonus	\$2,371.50
2021057	4-2000-62100-461808-210000-6302	SA2021057 FICA-Bonus	\$1,147.50
2021057	4-2000-62100-461808-210000-6303	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461808-210000-6304	SA2021057 FICA-Bonus	\$1,759.50
2021057	4-2000-62100-461808-210000-6309	SA2021057 FICA-Bonus	\$612.00
2021057	4-2000-62100-461808-210000-6499	SA2021057 FICA-Bonus	\$153.00
2021057	4-2000-62100-461815-210000-6102	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461815-210000-6104	SA2021057 FICA-Bonus	\$57.38
2021057	4-2000-62100-461815-210000-6106	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461815-210000-6117	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461815-210000-6251	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461815-210000-6253	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461815-210000-6255	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461855-210000-6252	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461855-210000-6253	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461855-210000-6254	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461858-210000-6301	SA2021057 FICA-Bonus	\$535.50
2021057	4-2000-62100-461858-210000-6302	SA2021057 FICA-Bonus	\$229.50
2021057	4-2000-62100-461858-210000-6303	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461858-210000-6304	SA2021057 FICA-Bonus	\$153.00
2021057	4-2000-62100-461858-210000-6308	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461862-210000-6101	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461862-210000-6102	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461862-210000-6103	SA2021057 FICA-Bonus	\$76.50

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2021057	4-2000-62100-461895-210000-6255	SA2021057 FICA-Bonus	\$306.00
2021057	4-2000-62100-461898-210000-6301	SA2021057 FICA-Bonus	\$1,071.00
2021057	4-2000-62100-461898-210000-6302	SA2021057 FICA-Bonus	\$612.00
2021057	4-2000-62100-461898-210000-6303	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461898-210000-6304	SA2021057 FICA-Bonus	\$765.00
2021057	4-2000-62100-461902-210000-6101	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461902-210000-6102	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461902-210000-6103	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461902-210000-6104	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461902-210000-6105	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461902-210000-6106	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461902-210000-6107	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461902-210000-6109	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461902-210000-6110	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461902-210000-6111	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461902-210000-6114	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461902-210000-6115	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461902-210000-6116	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461902-210000-6117	SA2021057 FICA-Bonus	\$153.00
2021057	4-2000-62100-461905-210000-6251	SA2021057 FICA-Bonus	\$153.00
2021057	4-2000-62100-461905-210000-6252	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461905-210000-6253	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461905-210000-6254	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461905-210000-6255	SA2021057 FICA-Bonus	\$133.88
2021057	4-2000-62100-461905-210000-6280	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461908-210000-6301	SA2021057 FICA-Bonus	\$153.00
2021057	4-2000-62100-461908-210000-6302	SA2021057 FICA-Bonus	\$229.50
2021057	4-2000-62100-461908-210000-6303	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62100-461908-210000-6304	SA2021057 FICA-Bonus	\$153.00
2021057	4-2000-62100-461912-210000-6101	SA2021057 FICA-Bonus	\$229.50
2021057	4-2000-62100-461912-210000-6102	SA2021057 FICA-Bonus	\$382.50
2021057	4-2000-62100-461912-210000-6103	SA2021057 FICA-Bonus	\$229.50
2021057	4-2000-62100-461912-210000-6104	SA2021057 FICA-Bonus	\$382.50
2021057	4-2000-62100-461912-210000-6105	SA2021057 FICA-Bonus	\$306.00
2021057	4-2000-62100-461912-210000-6106	SA2021057 FICA-Bonus	\$306.00
2021057	4-2000-62100-461912-210000-6107	SA2021057 FICA-Bonus	\$229.50
2021057	4-2000-62100-461912-210000-6109	SA2021057 FICA-Bonus	\$153.00
2021057	4-2000-62100-461912-210000-6110	SA2021057 FICA-Bonus	\$363.38
2021057	4-2000-62100-461912-210000-6111	SA2021057 FICA-Bonus	\$229.50
2021057	4-2000-62100-461912-210000-6112	SA2021057 FICA-Bonus	\$363.38
2021057	4-2000-62100-461912-210000-6114	SA2021057 FICA-Bonus	\$382.50
2021057	4-2000-62100-461912-210000-6115	SA2021057 FICA-Bonus	\$229.50
2021057	4-2000-62100-461912-210000-6116	SA2021057 FICA-Bonus	\$306.00
2021057	4-2000-62100-461912-210000-6117	SA2021057 FICA-Bonus	\$382.50
2021057	4-2000-62100-461912-210000-6499	SA2021057 FICA-Bonus	\$153.00
2021057	4-2000-62100-461915-210000-6251	SA2021057 FICA-Bonus	\$306.00
2021057	4-2000-62100-461915-210000-6252	SA2021057 FICA-Bonus	\$439.88
2021057	4-2000-62100-461915-210000-6253	SA2021057 FICA-Bonus	\$363.38
2021057	4-2000-62100-461915-210000-6254	SA2021057 FICA-Bonus	\$306.00
2021057	4-2000-62100-461915-210000-6255	SA2021057 FICA-Bonus	\$363.38
2021057	4-2000-62100-461918-210000-6301	SA2021057 FICA-Bonus	\$765.00
2021057	4-2000-62100-461918-210000-6302	SA2021057 FICA-Bonus	\$612.00
2021057	4-2000-62100-461918-210000-6303	SA2021057 FICA-Bonus	\$229.50
2021057	4-2000-62100-461918-210000-6304	SA2021057 FICA-Bonus	\$765.00
2021057	4-2000-62100-461918-210000-6308	SA2021057 FICA-Bonus	\$153.00
2021057	4-2000-62100-462221-210000-6101	SA2021057 FICA-Bonus	\$76.50

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2021057	4-2000-62112-461108-210000-6501	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62112-461140-210000-6501	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62112-461312-210000-6499	SA2021057 FICA-Bonus	\$612.00
2021057	4-2000-62112-461312-210000-6501	SA2021057 FICA-Bonus	\$612.00
2021057	4-2000-62112-461808-210000-6501	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62112-461813-210000-6499	SA2021057 FICA-Bonus	\$688.50
2021057	4-2000-62112-461814-210000-6499	SA2021057 FICA-Bonus	\$1,300.50
2021057	4-2000-62112-462210-210000-6501	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62112-462220-210000-6501	SA2021057 FICA-Bonus	\$153.00
2021057	4-2000-62112-462230-210000-6499	SA2021057 FICA-Bonus	\$1,032.75
2021057	4-2000-62112-462230-210000-6501	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62114-461320-210000-6502	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62115-468200-210000-6116	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62115-468200-210000-6501	SA2021057 FICA-Bonus	\$535.50
2021057	4-2000-62115-468200-210000-6503	SA2021057 FICA-Bonus	\$841.50
2021057	4-2000-62115-468300-210000-6101	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62115-468300-210000-6102	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62115-468300-210000-6103	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62115-468300-210000-6106	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62115-468300-210000-6109	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62115-468300-210000-6112	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62115-468300-210000-6114	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62115-468300-210000-6117	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62115-468300-210000-6252	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62115-468300-210000-6254	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62115-468300-210000-6255	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62115-468300-210000-6301	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62115-468300-210000-6302	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62115-468300-210000-6304	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62115-468300-210000-6501	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62115-468300-210000-6503	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62115-468400-210000-6102	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62115-468400-210000-6251	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62115-468400-210000-6252	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62115-468400-210000-6253	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62115-468400-210000-6254	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62115-468400-210000-6255	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62115-468400-210000-6301	SA2021057 FICA-Bonus	\$153.00
2021057	4-2000-62115-468400-210000-6302	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62115-468400-210000-6304	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62115-468400-210000-6503	SA2021057 FICA-Bonus	\$612.00
2021057	4-2000-62117-461311-210000-6502	SA2021057 FICA-Bonus	\$153.00
2021057	4-2000-62118-461311-210000-6501	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62118-461337-210000-6501	SA2021057 FICA-Bonus	\$229.50
2021057	4-2000-62118-462150-210000-6501	SA2021057 FICA-Bonus	\$306.00
2021057	4-2000-62119-461112-210000-6499	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62119-461341-210000-6501	SA2021057 FICA-Bonus	\$229.50
2021057	4-2000-62202-461101-210000-6102	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62251-461140-210000-6251	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62301-461140-210000-6301	SA2021057 FICA-Bonus	\$57.38
2021057	4-2000-62410-462110-210000-6501	SA2021057 FICA-Bonus	\$76.50
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2021057	4-2000-62411-461241-210000-6501	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62411-461344-210000-6501	SA2021057 FICA-Bonus	\$229.50
2021057	4-2000-62411-462130-210000-6501	SA2021057 FICA-Bonus	\$76.50

2021057	4-2000-62420-462140-210000-6501	SA2021057 FICA-Bonus	\$1,683.00
2021057	4-2000-62430-462150-210000-6501	SA2021057 FICA-Bonus	\$229.50
2021057	4-2000-62431-462160-210000-6501	SA2021057 FICA-Bonus	\$535.50
2021057	4-2000-62432-462310-210000-6504	SA2021057 FICA-Bonus	\$841.50
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2021057	4-2000-62432-462340-210000-6504	SA2021057 FICA-Bonus	\$841.50
2021057	4-2000-62433-462410-210000-6505	SA2021057 FICA-Bonus	\$841.50
2021057	4-2000-62433-462420-210000-6101	SA2021057 FICA-Bonus	\$153.00
2021057	4-2000-62433-462420-210000-6102	SA2021057 FICA-Bonus	\$459.00
2021057	4-2000-62433-462420-210000-6103	SA2021057 FICA-Bonus	\$229.50
2021057	4-2000-62433-462420-210000-6104	SA2021057 FICA-Bonus	\$382.50
2021057	4-2000-62433-462420-210000-6105	SA2021057 FICA-Bonus	\$229.50
2021057	4-2000-62433-462420-210000-6106	SA2021057 FICA-Bonus	\$229.50
2021057	4-2000-62433-462420-210000-6107	SA2021057 FICA-Bonus	\$153.00
2021057	4-2000-62433-462420-210000-6109	SA2021057 FICA-Bonus	\$210.38
2021057	4-2000-62433-462420-210000-6110	SA2021057 FICA-Bonus	\$306.00
2021057	4-2000-62433-462420-210000-6111	SA2021057 FICA-Bonus	\$229.50
2021057	4-2000-62433-462420-210000-6112	SA2021057 FICA-Bonus	\$286.88
2021057	4-2000-62433-462420-210000-6114	SA2021057 FICA-Bonus	\$306.00
2021057	4-2000-62433-462420-210000-6115	SA2021057 FICA-Bonus	\$229.50
2021057	4-2000-62433-462420-210000-6116	SA2021057 FICA-Bonus	\$363.38
2021057	4-2000-62433-462420-210000-6117	SA2021057 FICA-Bonus	\$382.50
2021057	4-2000-62433-462420-210000-6199	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62433-462420-210000-6251	SA2021057 FICA-Bonus	\$306.00
2021057	4-2000-62433-462420-210000-6252	SA2021057 FICA-Bonus	\$382.50
2021057	4-2000-62433-462420-210000-6253	SA2021057 FICA-Bonus	\$306.00
2021057	4-2000-62433-462420-210000-6254	SA2021057 FICA-Bonus	\$306.00
2021057	4-2000-62433-462420-210000-6255	SA2021057 FICA-Bonus	\$306.00
2021057	4-2000-62433-462420-210000-6280	SA2021057 FICA-Bonus	\$210.38
2021057	4-2000-62433-462420-210000-6301	SA2021057 FICA-Bonus	\$1,032.75
2021057	4-2000-62433-462420-210000-6302	SA2021057 FICA-Bonus	\$765.00
2021057	4-2000-62433-462420-210000-6304	SA2021057 FICA-Bonus	\$765.00
2021057	4-2000-62433-462420-210000-6399	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62433-462420-210000-6505	SA2021057 FICA-Bonus	\$4,092.75
2021057	4-2000-62101-461101-210000-6104	SA2021057 FICA-Bonus	\$382.50
2021057	4-2000-62101-461101-210000-6107	SA2021057 FICA-Bonus	\$153.00
2021057	4-2000-62101-461101-210000-6109	SA2021057 FICA-Bonus	\$153.00
2021057	4-2000-62101-461101-210000-6112	SA2021057 FICA-Bonus	\$382.50
2021057	4-2000-62101-461101-210000-6114	SA2021057 FICA-Bonus	\$286.88
2021057	4-2000-62101-461101-210000-6116	SA2021057 FICA-Bonus	\$439.88
2021057	4-2000-62101-461101-210000-6306	SA2021057 FICA-Bonus	\$612.00
2021057	4-2000-62101-461101-210000-6501	SA2021057 FICA-Bonus	\$153.00
2021057	4-2000-62101-461101-210000-6530	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62101-461102-210000-6501	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62101-461108-210000-6110	SA2021057 FICA-Bonus	\$153.00
2021057	4-2000-62101-461108-210000-6112	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62101-461237-210000-6530	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62101-461311-210000-6501	SA2021057 FICA-Bonus	\$612.00
2021057	4-2000-62101-461888-210000-6501	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62101-463100-210000-6520	SA2021057 FICA-Bonus	\$497.25
2021057	4-2000-62101-465101-210000-6101	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62101-465101-210000-6102	SA2021057 FICA-Bonus	\$57.38
2021057	4-2000-62101-465101-210000-6103	SA2021057 FICA-Bonus	\$191.25
2021057	4-2000-62101-465101-210000-6104	SA2021057 FICA-Bonus	\$286.88
2021057	4-2000-62101-465101-210000-6105	SA2021057 FICA-Bonus	\$191.25
2021057	4-2000-62101-465101-210000-6106	SA2021057 FICA-Bonus	\$210.38

2021057	4-2000-62101-465101-210000-6107	SA2021057 FICA-Bonus	\$133.88
2021057	4-2000-62101-465101-210000-6109	SA2021057 FICA-Bonus	\$153.00
2021057	4-2000-62101-465101-210000-6110	SA2021057 FICA-Bonus	\$210.38
2021057	4-2000-62101-465101-210000-6111	SA2021057 FICA-Bonus	\$133.88
2021057	4-2000-62101-465101-210000-6112	SA2021057 FICA-Bonus	\$210.38
2021057	4-2000-62101-465101-210000-6114	SA2021057 FICA-Bonus	\$344.25
2021057	4-2000-62101-465101-210000-6115	SA2021057 FICA-Bonus	\$133.88
2021057	4-2000-62101-465101-210000-6116	SA2021057 FICA-Bonus	\$229.50
2021057	4-2000-62101-465101-210000-6117	SA2021057 FICA-Bonus	\$248.63
2021057	4-2000-62101-465102-210000-6251	SA2021057 FICA-Bonus	\$344.25
2021057	4-2000-62101-465102-210000-6252	SA2021057 FICA-Bonus	\$191.25
2021057	4-2000-62101-465102-210000-6253	SA2021057 FICA-Bonus	\$267.75
2021057	4-2000-62101-465102-210000-6254	SA2021057 FICA-Bonus	\$210.38
2021057	4-2000-62101-465102-210000-6255	SA2021057 FICA-Bonus	\$267.75
2021057	4-2000-62101-465103-210000-6301	SA2021057 FICA-Bonus	\$344.25
2021057	4-2000-62101-465103-210000-6302	SA2021057 FICA-Bonus	\$439.88
2021057	4-2000-62101-465103-210000-6304	SA2021057 FICA-Bonus	\$592.88
2021057	4-2000-62101-465301-210000-6102	SA2021057 FICA-Bonus	\$267.75
2021057	4-2000-62101-465301-210000-6103	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62101-465301-210000-6104	SA2021057 FICA-Bonus	\$133.88
2021057	4-2000-62101-465301-210000-6105	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62101-465301-210000-6106	SA2021057 FICA-Bonus	\$114.75
2021057	4-2000-62101-465301-210000-6107	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62101-465301-210000-6110	SA2021057 FICA-Bonus	\$57.38
2021057	4-2000-62101-465301-210000-6111	SA2021057 FICA-Bonus	\$133.88
2021057	4-2000-62101-465301-210000-6112	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62101-465301-210000-6114	SA2021057 FICA-Bonus	\$439.88
2021057	4-2000-62101-465301-210000-6115	SA2021057 FICA-Bonus	\$133.88
2021057	4-2000-62101-465301-210000-6116	SA2021057 FICA-Bonus	\$76.50
2021057	4-2000-62101-465301-210000-6117	SA2021057 FICA-Bonus	\$286.88
2021057	4-2000-62101-465301-210000-6521	SA2021057 FICA-Bonus	\$229.50
2021057	4-2000-62101-496010-210000-9999	SA2021057 FICA-Bonus	\$1,931.63
2021057	3-2000-62000-351000-510100-6599	SA2021057 FICA-Bonus	\$2,661,108.00
2021057	4-1005-93010-493010-930001-9999	SA2021057 One-time payment to employees	\$2,661,108.00
2021057	3-1005-51000-351000-510100-9999	SA2021057 One-time payment to employees	\$2,661,108.00
2021057	4-1000-11010-411010-110000-1001	SA2021057 One-time payment to employees	\$3,000.00
2021057	4-1000-11010-411010-210000-1001	SA2021057 One-time payment to employees	\$231.00
2021057	4-1000-12010-412010-110000-1001	SA2021057 One-time payment to employees	\$6,000.00
2021057	4-1000-12010-412010-210000-1001	SA2021057 One-time payment to employees	\$462.00
2021057	4-1000-12013-412010-110000-1001	SA2021057 One-time payment to employees	\$3,000.00
2021057	4-1000-12013-412010-210000-1001	SA2021057 One-time payment to employees	\$231.00
2021057	4-1000-12017-412010-110000-1001	SA2021057 One-time payment to employees	\$2,000.00
2021057	4-1000-12017-412010-210000-1001	SA2021057 One-time payment to employees	\$154.00
2021057	4-1000-12019-412010-110000-1001	SA2021057 One-time payment to employees	\$2,000.00
2021057	4-1000-12019-412010-210000-1001	SA2021057 One-time payment to employees	\$154.00
2021057	4-1000-12030-412030-110000-1001	SA2021057 One-time payment to employees	\$1,000.00
2021057	4-1000-12030-412030-210000-1001	SA2021057 One-time payment to employees	\$77.00
2021057	4-1000-12040-412040-110000-1001	SA2021057 One-time payment to employees	\$8,750.00
2021057	4-1000-12040-412040-210000-1001	SA2021057 One-time payment to employees	\$673.00
2021057	4-1000-12141-412140-110000-1001	SA2021057 One-time payment to employees	\$4,000.00
2021057	4-1000-12141-412140-210000-1001	SA2021057 One-time payment to employees	\$308.00
2021057	4-1000-12142-412140-110000-1001	SA2021057 One-time payment to employees	\$18,000.00
2021057	4-1000-12142-412140-210000-1001	SA2021057 One-time payment to employees	\$1,386.00
2021057	4-1000-12143-412140-110000-1001	SA2021057 One-time payment to employees	\$19,000.00
2021057	4-1000-12143-412140-210000-1001	SA2021057 One-time payment to employees	\$1,463.00
2021057	4-1000-12144-412140-110000-1001	SA2021057 One-time payment to employees	\$14,000.00

2021057	4-1000-12144-412140-210000-1001	SA2021057 One-time payment to employees	\$1,078.00
2021057	4-1000-12148-412140-110000-1001	SA2021057 One-time payment to employees	\$4,000.00
2021057	4-1000-12148-412140-210000-1001	SA2021057 One-time payment to employees	\$308.00
2021057	4-1000-12200-412200-110000-1001	SA2021057 One-time payment to employees	\$26,000.00
2021057	4-1000-12200-412200-210000-1001	SA2021057 One-time payment to employees	\$2,002.00
2021057	4-1000-31013-431010-110000-1003	SA2021057 One-time payment to employees	\$163,750.00
2021057	4-1000-31013-431010-210000-1003	SA2021057 One-time payment to employees	\$12,608.00
2021057	4-1000-32015-432010-110000-1003	SA2021057 One-time payment to employees	\$130,000.00
2021057	4-1000-32015-432010-210000-1003	SA2021057 One-time payment to employees	\$10,010.00
2021057	4-1000-34050-434050-110000-1003	SA2021057 One-time payment to employees	\$16,000.00
2021057	4-1000-34050-434050-210000-1003	SA2021057 One-time payment to employees	\$1,232.00
2021057	4-1000-43201-443200-110000-1004	SA2021057 One-time payment to employees	\$3,000.00
2021057	4-1000-43201-443200-210000-1004	SA2021057 One-time payment to employees	\$231.00
2021057	4-1000-43202-443200-110000-1004	SA2021057 One-time payment to employees	\$7,750.00
2021057	4-1000-43202-443200-210000-1004	SA2021057 One-time payment to employees	\$596.00
2021057	4-1000-43203-443200-110000-1004	SA2021057 One-time payment to employees	\$3,000.00
2021057	4-1000-43203-443200-210000-1004	SA2021057 One-time payment to employees	\$231.00
2021057	4-1000-43204-443200-110000-1004	SA2021057 One-time payment to employees	\$4,000.00
2021057	4-1000-43204-443200-210000-1004	SA2021057 One-time payment to employees	\$308.00
2021057	4-1000-43205-482040-110000-1004	SA2021057 One-time payment to employees	\$4,000.00
2021057	4-1000-43205-482040-210000-1004	SA2021057 One-time payment to employees	\$308.00
2021057	4-1000-43206-443200-110000-1004	SA2021057 One-time payment to employees	\$3,000.00
2021057	4-1000-43206-443200-210000-1004	SA2021057 One-time payment to employees	\$231.00
2021057	4-1000-43207-443200-110000-1004	SA2021057 One-time payment to employees	\$3,000.00
2021057	4-1000-43207-443200-210000-1004	SA2021057 One-time payment to employees	\$231.00
2021057	4-1000-53010-453010-110000-1005	SA2021057 One-time payment to employees	\$103,500.00
2021057	4-1000-53010-453010-210000-1005	SA2021057 One-time payment to employees	\$7,968.00
2021057	4-1000-53015-453010-110000-1005	SA2021057 One-time payment to employees	\$11,000.00
2021057	4-1000-53015-453010-210000-1005	SA2021057 One-time payment to employees	\$847.00
2021057	4-1000-53020-453010-110000-1005	SA2021057 One-time payment to employees	\$5,000.00
2021057	4-1000-53020-453010-210000-1005	SA2021057 One-time payment to employees	\$385.00
2021057	4-1000-53150-453010-110000-1005	SA2021057 One-time payment to employees	\$10,950.00
2021057	4-1000-53150-453010-210000-1005	SA2021057 One-time payment to employees	\$841.00
2021057	4-1000-71011-471010-110000-1007	SA2021057 One-time payment to employees	\$3,000.00
2021057	4-1000-71011-471010-210000-1007	SA2021057 One-time payment to employees	\$231.00
2021057	4-1000-71012-471010-110000-1007	SA2021057 One-time payment to employees	\$12,000.00
2021057	4-1000-71012-471010-210000-1007	SA2021057 One-time payment to employees	\$924.00
2021057	4-1000-71014-471010-110000-1007	SA2021057 One-time payment to employees	\$1,000.00
2021057	4-1000-71014-471010-210000-1007	SA2021057 One-time payment to employees	\$77.00
2021057	4-1000-71015-471010-110000-1007	SA2021057 One-time payment to employees	\$1,000.00
2021057	4-1000-71015-471010-210000-1007	SA2021057 One-time payment to employees	\$77.00
2021057	4-1000-71017-471010-110000-1007	SA2021057 One-time payment to employees	\$1,000.00
2021057	4-1000-71017-471010-210000-1007	SA2021057 One-time payment to employees	\$77.00
2021057	4-1000-81021-481020-110000-1008	SA2021057 One-time payment to employees	\$49,750.00
2021057	4-1000-81021-481020-210000-1008	SA2021057 One-time payment to employees	\$3,830.00
2021057	4-1000-81050-481050-110000-1008	SA2021057 One-time payment to employees	\$3,000.00
2021057	4-1000-81050-481050-210000-1008	SA2021057 One-time payment to employees	\$231.00
2021057	4-1000-82030-482030-110000-1008	SA2021057 One-time payment to employees	\$1,000.00
2021057	4-1000-82030-482030-210000-1008	SA2021057 One-time payment to employees	\$77.00
2021057	4-1000-83000-483000-110000-1008	SA2021057 One-time payment to employees	\$1,000.00
2021057	4-1000-83000-483000-210000-1008	SA2021057 One-time payment to employees	\$77.00
2021057	4-1225-31012-431010-110000-1003	SA2021057 One-time payment to employees	\$2,750.00
2021057	4-1225-31012-431010-210000-1003	SA2021057 One-time payment to employees	\$211.00
2021057	4-1553-51155-453010-110000-1005	SA2021057 One-time payment to employees	\$2,800.00
2021057	4-1553-51155-453010-112100-1005	SA2021057 One-time payment to employees	\$9,000.00
2021057	4-1553-51155-453010-114100-1005	SA2021057 One-time payment to employees	\$9,750.00

2021057	4-1553-51155-453010-210000-1005	SA2021057 One-time payment to employees	\$1,660.00
2021057	4-4200-71002-471010-110000-1007	SA2021057 One-time payment to employees	\$2,000.00
2021057	4-4200-71002-471010-210000-1007	SA2021057 One-time payment to employees	\$154.00
2021057	4-9010-43209-443200-110000-9999	SA2021057 One-time payment to employees	\$9,000.00
2021057	4-9010-43209-443200-210000-9999	SA2021057 One-time payment to employees	\$693.00
2021057	3-9010-51000-351000-512074-9999	SA2021057 One-time payment to employees	\$9,693.00
2021057	4-1000-93010-493010-930027-9999	SA2021057 One-time payment to employees	\$9,693.00
2021057	3-4200-16000-316000-160503-9999	SA2021057 One-time payment to employees	\$2,154.00
2021057	4-1000-71002-471000-700007-1007	SA2021057 One-time payment to employees	\$2,154.00
2021057	3-1553-51000-351000-512004-9999	SA2021057 One-time payment to employees	\$23,210.00
2021057	4-1000-53010-453010-930208-1005	SA2021057 One-time payment to employees	\$23,210.00
2021057	3-1225-51000-351000-512004-9999	SA2021057 One-time payment to employees	\$2,961.00
2021057	4-1000-31013-431010-930200-1003	SA2021057 One-time payment to employees	\$2,961.00
2021058	4-1000-79000-479000-567705-1007	SA2021058: Contribution to The Paramount Theater	2,250.00
2021058	4-1000-79000-479000-560401-1007	SA2021058: Contribution to The VA Discovery Museum	2,250.00
2021058	3-1000-24000-324000-240418-1007	SA2021058: VA Commission of the Arts Creative Communities Partnership Grant	4,500.00
2021059	4-1000-21060-421060-110000-1002	SA2021059 Employee Bonuses	\$11,750.00
2021059	4-1000-21060-421060-210000-1002	SA2021059 Employee Bonuses	\$899.00
2021059	4-1000-22010-422010-110000-1002	SA2021059 Employee Bonuses	\$12,750.00
2021059	4-1000-22010-422010-210000-1002	SA2021059 Employee Bonuses	\$975.00
2021059	4-1000-21070-421070-110000-1002	SA2021059 Employee Bonuses	\$26,750.00
2021059	4-1000-21070-421070-210000-1002	SA2021059 Employee Bonuses	\$2,046.00
2021059	4-1000-13020-413020-110000-1001	SA2021059 Employee Bonuses	\$5,750.00
2021059	4-1000-13020-413020-210000-1001	SA2021059 Employee Bonuses	\$440.00
2021059	3-1000-51000-351000-510100-9999	SA2021059 Employee Bonuses - LG 2021057 (\$739,623) Constitutional Officers 2021059 (\$63,513)	\$803,136.00
2021059	4-1000-21010-421010-110000-1002	SA2021057 One-time payment to employees	\$2,000.00
2021059	4-1000-21010-421010-210000-1002	SA2021057 One-time payment to employees	\$153.00

Agenda Item No. 20. **Public Hearing: An Ordinance to Amend Article 2, Other Licenses, of Chapter 8, Licenses, of the Code of the County of Albemarle, Virginia.** To receive public comment on its intent to adopt an ordinance to amend County Code Chapter 8, Licenses, Article 2, Other Licenses, § 8-800, Alcoholic beverages. The draft ordinance would make § 8-800 subject to § 8-201, which would adopt deadlines for filing alcoholic beverage license applications and paying alcoholic beverage taxes, and would impose penalties and interest for failure to timely file applications or pay taxes, pursuant to Virginia Code § 58.1-3896.

The Executive Summary forwarded to the Board states that Chapter 8 governs the County business license requirements, taxes, and fees, as well as those for alcoholic beverage sales and going-out-of-business sales.

On April 17, 2019, the Board adopted an ordinance to amend Chapter 8, to reorganize the chapter to more closely conform to controlling State law, as well as other changes, one of which was to create separate articles for business licenses and other licenses, to clarify that businesses serving alcoholic beverages are required to obtain both business licenses and alcohol licenses. This ordinance would make alcoholic beverage license filings and payments subject to the same deadlines as those for business licenses.

The County Attorney’s Office has prepared the attached ordinance (Attachment A) to add language to Chapter 8 that will apply the same deadlines to alcohol beverage license filings and payments as for business licenses.

This amendment is not anticipated to have an impact on expected revenues.

Staff recommends that the Board adopt the proposed ordinance (Attachment A) after the public hearing.

Ms. Jian Lin, Chief of Revenue Administration of the Department of Finance and Budget, said this public hearing is to amend County Code Chapter 8, Section 8-800 for the alcoholic beverage license due date.

Ms. Lin said that on April 17, 2019, the Board adopted an ordinance to amend Chapter 8 to

reorganize the chapter to closely conform to the controlling state law and to make other changes. She said one of the other changes was to create separate articles for business licenses and other licenses to clarify that businesses serving alcoholic beverages are required to obtain both a business license and an alcoholic beverage license.

Ms. Lin said this amendment would make the alcoholic beverage license filing of payment subject to the same deadline as those to business licenses.

Ms. Lin said Virginia Code Section 58.1-3916 provides local authorities to establish due dates for all local taxes.

Ms. Lin said after the public hearing, staff recommends that the Board adopted the proposed ordinance in Attachment A.

Mr. Gallaway asked if there was anyone signed up from the public to speak on the matter. As there were none, he closed public comment and brought the matter back before the Board.

Ms. Price **moved** that the Board adopt the attached ordinance (Attachment A) to add language to Chapter 8 that will apply the same deadlines to alcohol beverage license filings and payments as for business licenses.

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

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

ORDINANCE NO. 21-8 (1)

AN ORDINANCE TO AMEND CHAPTER 8, LICENSES, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA

BE IT ORDAINED By the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 8, Licenses, is hereby amended and reordained as follows:

By Amending:

Sec. 8-800 Alcoholic beverages.

Chapter 8. Licenses

Article 1. Business Licenses

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Division 2. License Requirement, Situs of Gross Receipts, Appeals, and Recordkeeping

.....

Sec. 8-201 - When license application and license tax are due; penalties.

Each person subject to a license tax shall apply for a license and pay the license tax as follows:

- A. *When license application is due.* Each person subject to a license tax shall apply for a license prior to beginning business if he was not subject to licensure in the County on or before January 1 of the license year, or no later than March 1 of the license year if he had been issued a license for the preceding year. The application shall be on forms prescribed by the Director of Finance.
- B. *When license tax is due.* The tax shall be paid with the license application in the case of any license tax not based on gross receipts. If the tax is measured by the gross receipts of the business, the tax shall be paid on or before June 15 of the license year; provided that each motor vehicle dealer who separately states the amount of the license tax applicable to each sale of a motor vehicle and adds the tax to the sales price of the motor vehicle shall pay the tax on or before the twentieth day of the month following the close of each calendar quarter.
- C. *Extensions.* The Director of Finance may grant an extension of time in which to file an application for a license, for reasonable cause. The extension may be conditioned upon the timely payment of a reasonable estimate of the appropriate tax; the tax is then subject to adjustment to the correct tax at the end of the extension, together with interest from the due date until the date paid and, if the estimate submitted with the extension is found to be unreasonable under the circumstances, with a penalty of ten percent of the portion paid after the due date.
- D. *Penalty for failure to timely file an application or pay the license tax.* The Director of Finance will impose a penalty for failure to timely file an application or pay the license tax as follows:

1. *When late penalty imposed.* A penalty of ten percent of the tax may be imposed by the Director of Finance upon the failure of any person to file an application or the failure to pay the tax by the appropriate due date. The Director of Finance shall impose only the late filing penalty if both the application and license tax payment are late; provided that the Director may impose both penalties if the Director determines that the taxpayer has a history of noncompliance. In the case of an assessment of additional tax made by the Director of Finance, if the application and, if applicable, the return were made in good faith and the understatement of the tax was not due to any fraud, reckless, or intentional disregard of the law by the taxpayer, the Director shall not impose a late payment penalty with the additional tax. If any assessment of tax by the Director of Finance is not paid within 30 days, the Director may impose a ten percent late payment penalty.
 2. *When late penalty not imposed.* If the failure to file or pay was not the fault of the taxpayer, the Director of Finance shall not impose a late penalty, or if imposed, shall be abated by the official who assessed them. In order to demonstrate lack of fault, the taxpayer must show that he acted responsibly and that the failure was due to events beyond his control.
 - a. *Acted responsibly defined.* "Acted responsibly" means that: (i) the taxpayer exercised the level of reasonable care that a prudent person would exercise under the circumstances in determining the filing obligations for the business; and (ii) the taxpayer undertook significant steps to avoid or mitigate the failure, such as requesting appropriate extensions (where applicable), attempting to prevent a foreseeable impediment, acting to remove an impediment once it occurred, and promptly rectifying a failure once the impediment was removed or the failure discovered.
 - b. *Events beyond the taxpayer's control defined.* "Events beyond the taxpayer's control" include, but are not limited to, the unavailability of records due to fire or other casualty; the unavoidable absence (e.g., due to death or serious illness) of the person with the sole responsibility for tax compliance; or the taxpayer's reasonable reliance in good faith upon erroneous written information from the Director who was aware of the relevant facts relating to the taxpayer's business when he provided the erroneous information.
- E. *Interest on late payments.* The Director of Finance shall charge interest on the late payment of the tax from the due date until the date paid without regard to fault or other reason for the late payment. Whenever an assessment of additional or omitted tax by the Director is found to be erroneous, all interest and any penalties charged and collected on the amount of the assessment found to be erroneous shall be refunded together with interest on the refund from the date of payment or the due date, whichever is later. Interest shall be paid on the refund of any tax collected pursuant to this article from the date of payment or due date, whichever is later, whether attributable to an amended return or other reason. Interest on any refund shall be paid at the same rate charged under Virginia Code § [58.1-3916](#).
1. *When interest does not accrue.* No interest shall accrue on an adjustment of estimated tax liability to actual liability at the conclusion of a base year.
 2. *When interest not refunded or charged.* No interest shall be refunded or charged on a late payment, provided the refund or the late payment is made not more than 30 days from the date of the payment that created the refund or the due date of the tax, whichever is later.

(§ 8-201; [Ord. 19-8\(1\)](#), 4-17-19)

State Law reference— Va. Code § [58.1-3703.1](#) .

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Article 2. Other Licenses

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Sec. 8-800 - Alcoholic beverages.

Pursuant to and subject to Virginia Code § [4.1-205](#), a County license tax is hereby imposed on persons licensed by the Virginia Alcoholic Beverage Control Board to manufacture, bottle, or sell alcoholic beverages in the County, except for temporary licenses authorized by Virginia Code § [4.1-211](#) .

A. *Tax rates.* The following annual tax rates shall apply:

1. *Distiller's license.* For each distiller's license, if more than 5,000 gallons but not more than 36,000 gallons manufactured during such year, \$750.00; if more than 36,000 gallons manufactured during such year, \$1,000.00; and no license shall be required for any person who manufactures not more than 5,000 gallons of alcohol or spirits or both during the license year.

2. *Winery license.* For each winery license, \$50.00.
3. *Brewery license.* For each brewery license, if not more than 500 barrels of beer manufactured during the year in which the license is granted, \$250.00, and if more than 500 barrels of beer manufactured during the year in which the license is granted, \$1,000.00.
4. *Beer bottler's license.* For each beer bottler's license, \$500.00.
5. *Wholesale beer license.* For each wholesale beer license, \$75.00.
6. *Wholesale wine license.* For each wholesale wine license, \$50.00.
7. *Retail wine and beer license.* For each retail on-premises wine and beer license for a hotel, restaurant, or club, and for each retail off-premises wine and beer license, \$37.50.
8. *Retail beer license.* For each retail on-premises beer license for a hotel, restaurant or club, and for each retail off-premises beer license, \$25.00.
9. *Fruit distiller's license.* For each fruit distiller's license, \$500.00.
10. *Mixed beverage restaurant license.* For each mixed beverage restaurant license, including restaurants located on the premises of and operated by hotels or motels, or other persons, the tax is:
 - a. \$200.00 for areas seating 50 to 100.
 - b. \$350.00 for areas seating 100 to 150 persons.
 - c. \$500.00 for areas seating more than 150 persons.
 - d. \$350.00 for private, nonprofit clubs operating a restaurant located on the premises of those clubs.

B. When license application and license tax are due; penalties. Alcoholic beverage license taxes are subject to section 8-201.

CB. State license required for County license to issue. No County license shall be issued pursuant to this chapter to any person who does not hold or secure simultaneously the proper State license.

DC. Beer defined. For purposes of this section, the term "beer" is defined as it is in Virginia Code § [4.1-100](#).

(3-15-73, § 25; 4-21-76; Ord. 96-11(1), 11-13-96, § 11-27; Code 1988, § 11-27; § 8-600, Ord. 98-A(1), 8-5-98; [Ord. 14-8\(1\)](#), 9-3-14; [Ord. 15-8\(1\)](#), 7-1-15; [Ord. 16-8\(1\)](#), 7-13-16; § 8-800, [Ord. 19-8\(1\)](#), 4-17-19)

State Law reference— Va. Code §§ [4.1-205](#), [4.1-233](#).

Agenda Item No. 21. Public Hearing: Emergency Ordinance to Prevent the Spread of the Novel Coronavirus, SARS-CoV-2, and the Disease it Causes, Commonly Referred to as COVID-19.

The Executive Summary forwarded to the Board states that in response to concerns that the number of COVID-19 cases was rising and thousands of students would soon be coming to the community for the University of Virginia's fall semester, the Board of Supervisors adopted Ordinance No. 20-E(5), An Emergency Ordinance to Prevent the Spread of the Novel Coronavirus, SARS-CoV-2, and the Disease it Causes, Commonly Referred to as COVID-19 (the "Ordinance") on July 27, 2020. The Ordinance was part of a cooperative effort by the County, the City of Charlottesville, which adopted a similar ordinance, and the University of Virginia, to control the spread of COVID-19. Since its original adoption on July 27, the Ordinance has been amended several times as new information became available and the Governor adopted or amended Executive Orders. The current version of the Ordinance was adopted on January 6, 2021 (Attachment A) and will expire on April 7, 2021.

The Ordinance establishes regulations pertaining to: (1) the maximum indoor occupancy allowed at restaurants, farm wineries, limited breweries, and limited distilleries; (2) the maximum size of public and private gatherings; and (3) the requirement for persons to wear face coverings in public places. At the time it was first adopted and thereafter, the Ordinance has been more restrictive than the Governor's Executive Orders in the areas of concern that it covers. Beyond the Ordinance's narrow subject matter, the Governor's Executive Orders have full force and effect in the County, including, but not limited to, those requirements pertaining to physical distancing, sanitizing hard surfaces, and other health and safety protocols, and those requirements applying to gathering sizes and other restrictions in those business

sectors not expressly addressed in the Ordinance such as religious institutions, fitness and exercise facilities, and campgrounds.

On February 24, 2021, and again on March 23, 2021, the Governor amended EO 72. These recent amendments have relaxed restrictions pertaining to the sizes of indoor and outdoor gatherings, the permitted attendance at certain events, and the sizes of “private bookings.” Even as otherwise amended, EO 72 maintains the longstanding requirements to maintain physical distancing in restaurants and other locations and to wear face coverings.

On March 23, 2021, County staff learned that City staff will recommend to the City Council that it repeal its COVID-19 ordinance on April 5, 2021.

In the first half of March, when a public hearing on the Ordinance would have been advertised, through the date of writing this Executive Summary, there have been numerous factors in play that made it difficult to both prepare an accurate public hearing notice and an Ordinance for the Board to consider on April 7, 2021. The vaccination program is proceeding and COVID-19 case numbers, positivity rates, and hospitalizations are declining nationwide. However, public health experts have been warning that it is premature to be relaxing restrictions because case levels are still too high and highly transmissible variants of the original coronavirus could lead to another surge in cases. Indeed, COVID-19 cases are rising in some states, and these increases are attributed to the new variants and widespread “pandemic fatigue” within the population.

To ensure the most current information is applied in developing an ordinance for the Board’s consideration, a proposed emergency ordinance will be provided to the Board and to the public at or immediately before the Board’s April 7, 2021 meeting.

The table included as Attachment B provides a comparison of the current requirements of Ordinance No. 21-A (1) to the corresponding requirements in EO 72 (third and fourth amendments).

There is no anticipated budget impact.

The County Executive will provide a recommendation at the April 7, 2021 Board meeting.

Mr. Doug Walker, Deputy County Executive, noted that he and Mr. Greg Kamptner, County Attorney, would be presenting. He said the Board did receive the draft ordinance in advance, as well as some correspondence that the IMT had used to consider its recommendation from the Blue Ridge Health District. He said the meeting was ahead of schedule and asked to confirm if Dr. Denise Bonds and Mr. Ryan McKay were available.

Dr. Bonds noted her presence.

Mr. Walker said while the County Attorney would talk about the ordinance itself, he thought it was important to lay some groundwork, background, and context, most if not all of which the Board was familiar. He said this helps to underscore the basis of the recommendation coming forward.

Mr. Walker said he would start in July of 2020, when the Board adopted its ordinance that at the time the state was moving to Phase 3, the County had an interest in retaining some of the restrictions that applied in Phase 2. He said it was colloquially called “Phase 2.5.” He said the Board was not comfortable going as far as the state was at the time. He said this was based on contact tracing trends and local COVID-19 metrics.

Mr. Walker said the Board did adopt the ordinance to restrict indoor occupancy at establishments that serve food and drink. He said they capped gathering sizes and required face coverings in all public settings.

Mr. Walker said in September, that ordinance expired, and a new one was adopted that continued those prior restrictions. He said in November, to align with the state executive orders, the Board further restricted gatherings to 25 persons.

Mr. Walker said in December, to again align with the state executive orders, the Board restricted gatherings further, to 10. He said in January, the ordinance expired, and a new one was adopted that continued the restrictions that had been in place.

Mr. Walker said the IMT reviews quite a few data sets weekly in conjunction with the Blue Ridge Health District (BRHD), where Mr. Ryan McKay is the chief support. He said the chart on the screen showed the total cases, which reflected or illustrated the fullness of the pandemic since its onset to current day. He said the chart intended to reflect the surges that occurred after the Thanksgiving and Christmas holidays, then the significant decline in case counts as they head into the current time period that is similar to where they were last June and into July.

Mr. Walker said additional information the County has received from BRHD provides more context to the illustration, acknowledging that they are similar to where they were last July, but the circumstances are a bit different. He said in 2020, the case counts and all the metrics in general were higher and trending upward. He said in March of 2021, they were downward or fluctuating. He said at the time, they had the university students on grounds, and K-12 education at this time is open to most

students. He said testing is widely available, and test volumes remain high.

Mr. Walker said the Ambassador Program, which has been in place for several months, continues to be out in the community consistently raising awareness and witnessing strong compliance with the recommended mitigation measures, including people wearing masks, maintaining social distancing, and not gathering in large groups by and large.

Mr. Walker said the slide on the screen indicated additional information that was relevant to the Board's consideration. He said the case counts, incident rates, and percent positivity rates are at their lowest points since November of 2020, and they are among the lowest in Virginia. He said the fewer case counts and lower rates of cases in percent positivity means the risk of exposure and transmission is lower. He said it does not mean, however, that it is nonexistent. He said as seen quoted on the slide from BRHD, the current public health conditions are favorable for loosening the current mitigation strategies and aligning with changes to Executive Order #72.

Mr. Walker said his final slide showed the Governor's information provided earlier, and what it pointed out was the Governor's intention to ease certain mitigation measures, not to open up completely. He said the Governor makes a strong case, as would he, that the County's continued vigilance and use of the mitigation measures in place (mask wearing, social distancing, etc.) are all extremely important to the County's ability to even be in a position where they would recommend that the Board considering easing its own restrictions in order to align with the state.

Mr. Walker said he was referencing from the first slide that much of what the Board had considered since it made its original adopted ordinance to further restrict activities going further than the state back in July is that they have, over time, aligned with the state as the state had gone more restrictive. He said they are now at a point in time where the Board has an opportunity to consider again aligning with the state and easing restrictions, particularly as it relates to outdoor activities. He said this matter was considered by the Incident Management Team (IMT), and they recommended this action be taken, which is reflected in the draft ordinance.

Mr. Kamptner said the first slide he would show summarized the change recommended by the IMT to the ordinance. He said in the left-hand column, Ordinance No. 21-A(1) is scheduled to expire that day, April 7. He said Executive Order 72 in the second column showed the proposed changes to the ordinance.

Mr. Kamptner said with respect to restaurants, the current ordinances have a cap on the number of people within a restaurant, and Executive Order 72 and the proposed ordinance switch over to requiring physical separation and imposing a limitation on bookings.

Mr. Kamptner said general gatherings are social type of gatherings, and the cap of the number of persons who may congregate would increase from 10 persons to 50 persons indoors, and from 10 persons to 100 persons outdoors.

Mr. Kamptner said for entertainment and amusement businesses, the Board could see that the numbers do increase. He said the number of participants increases from 250 to 500 persons, or 30% of the occupancy load, whichever is less. He said for outdoors, these numbers also go up. He said he has incorporated a formula that was in Executive Order 72, which deals with the outdoor occupancy. He said it was stated somewhat oddly, and staff has restated it in a way that he thinks is clearer for the reader. He said with private bookings, the number also increases from 10 persons to 50 persons indoors, and to 100 persons outdoors.

Mr. Kamptner said with recreational sports, the number of spectators would increase from 25 to 100 persons. He said outdoors, they change from a number that is, in part, based on the 2-persons-per-player to an overall cap per field, or 30% of the occupancy load for the venue. He said the numbers of participants for races and marathons would increase from the 250 participants under the current ordinance to what could be a significantly larger number, given the formula that is in Executive Order 72 and has been restated in a way that is more readable for outdoor venues.

Mr. Kamptner said for face coverings, Executive Order 72 still requires face coverings, but with certain exceptions. He said the ordinance would mirror the executive order, but the one exception that the County's ordinances have had all along is that a person claiming the physical condition exception must have a document from a healthcare professional.

Mr. Kamptner said some other changes were made to the ordinance. He said staff added a definition of "parties," which is a term that is used in Executive Order 72 when referring to parties of people who are in restaurants and other places where food and beverages are sold or consumed. He said as he mentioned, the calculation was clarified for races and marathons as well as for the other outdoor recreational venues.

Mr. Kamptner said they also updated the recitals and added some other changes to the text of the ordinance so that it better aligns with the current version of Executive Order 72. He said some of the terminology has changed since they first started back when the executive orders were in the 50s and 60s.

Mr. Kamptner said he was happy to answer any questions. He said the next slide showed the recommended motion.

Ms. Mallek asked if the 50 people indoors is regardless of the size of the space. She said she could not see anywhere that said what the available space would be. She said other than that, they have to do what EO 72 says, but this did not make sense to her.

Mr. Walker said he could address this from a practical standpoint, and Mr. Kamptner could try to address any legal implications. He said this relates both to that provision as well as the one with regard to restaurants in terms of the awareness that with a 6-foot separation, one does gain reduction in capacity within spaces. He said if, in fact, there is an expectation of social distancing in any space, by its nature, it affects the overall capacity. He said this is not a measurement tool, and he understands, but it is a consideration in helping to understand how establishments can meet the intent of the restrictions as well as allow for an increase in the number of people in those spaces.

Mr. Walker said he believes there are cases where in a restaurant, for example, with the 6 feet of separation, there is no way they can have 50% occupancy, anyway. He said this was somewhat anecdotal. He said the large majority of the complaints are about mask wearing and not about too many people in too small a space. He said where they do get complaints about businesses that are regulated by the state, those are referred to the Health Department, who could speak to that.

Ms. LaPisto-Kirtley said she was in favor of moving over to the suggested wording. She said she thinks they will just keep moving forward and hopefully rely on people to continue wearing their masks, being 6 feet apart, and getting their shots.

Ms. Palmer said she was curious as to if there was an estimate as to when they expect all adults in the BRHD that want a vaccine will be able to get one. She said she did not know if it was the right time to ask the question.

Mr. Walker said this was certainly why they asked and were grateful to have Dr. Bonds on the call.

Dr. Bonds said the Board had probably heard that the BRHD will be moving to Phase 2 on Monday, April 12, but they probably also heard her say that this is just when all individuals will have the opportunity to schedule their appointment. She said when everyone who wants a vaccine actually has one in their arm is still a bit of a moving target at this point. She said many may have read about the factory issues in Baltimore that impacted the Johnson & Johnson vaccine, requiring a substantial amount to be thrown away. She said this impacted what BRHD was expecting that week. She said while they got a fair amount of J&J vaccine that week, they likely will not be getting any next week, nor the week after.

Dr. Bonds said the state seems to think that the factory will be back online by the end of the month, so they should begin to see the J&J vaccine again soon.

Dr. Bonds said at the moment, they were at about just under 8,000 doses of Pfizer and just under 4,000 doses of Moderna every week, and this has to cover first and second doses. She said one can imagine that it is going to take some time. She said the good news is that UVA Hospital gets their own allotment of Pfizer and continues to be a great partner in that. She said they have more and more pharmacies that are coming online from the federal stockpile. She said one can go to Vaccine Finder and search for those in the area.

Dr. Bonds said all of those moving pieces make it challenging. She said she thinks if J&J comes back online when it is expected to, then by the end of May, anyone who wanted an appointment should have gotten at least their first dose at that point in time. She said this was her hope and asked the Board not to hold her to this.

Ms. Palmer said this sounded better than she expected.

Dr. Bonds said looking at the numbers, BRHD has been successful, and Albemarle has one of the highest vaccination rates, in the area. She said it was not the highest in the state, but it was certainly up there. She said proportionately, BRHD has a higher number of individuals who belong to Phase 1a (healthcare providers) and are over the age of 65 because there are many people who retire to this community.

Ms. Price said Mr. Walker had noted that most of the complaints they are getting is with regard to mask wearing. She asked him to clarify if this was about people complaining about having to wear masks, or if it was people reporting situations where others are not wearing masks.

Mr. Walker replied that it is the latter. He said when the County receives a complaint, it is generally from an individual or business who might be having difficulty gaining compliance. He said they would dispatch a police officer and if it is still happening at the time, there is a conversation that results in some action. He said they have not actually had to charge anyone, and they have taken on a very significant education role.

Ms. Price said she did not have any other questions, but she did have some comments to make later.

Mr. Gallaway asked if there was anyone signed up for the public comment portion. As there was no one signed up, he brought the matter back before the Board to make any comments leading up to the

motion.

Ms. Mallek said her only comment was that masks are absolutely essential for everyone, and there are also large numbers of young people who will be months on their own, and they have to protect them as well.

Ms. LaPisto-Kirtley agreed that everyone should wear masks and stay socially distanced when they can. She asked everyone to continue to support local restaurants.

Ms. Palmer said she had one more question. She said she was watching one news report from an area (perhaps in Michigan) where the cases are currently spiking. She said this was just a couple of days ago. She said because most of the older people had already been vaccinated, the medical professionals being interviewed said they believe that the majority of the infections are actually coming from school-aged children participating in athletic events. She said she did not know if this was the parents getting sick or the kids, but she wondered if Dr. Bonds or anyone had comments about this. She asked if this is something people are seeing in other parts of the country.

Dr. Bonds replied that she has been covering another health district for the last year or so, and one thing she did notice there is that they have Spring Break a bit earlier than BRHD does. She said after Spring Break, as the kids were coming back, they did notice an increase there in school-aged kids. She said this also corresponded to when most of the school district went back to four days a week in person, so it was not clear if it was Spring Break or the more frequent contact in the classroom.

Dr. Bonds said she thinks schools are trying hard, and they are doing their best to keep the kids separated, but there is just going to be more contact as there are more kids interacting in the classroom. She said masks are essential, and there are studies going on right now that will hopefully allow them to vaccinate kids this summer or early fall. She said they will just have to keep an eye on those numbers.

Ms. Price told Ms. Palmer that she had just read an article on this, and this article reported that the incidence of the increase in children was not so much from the athletic events as it was the carpooling to and from and other indoor activities. She said with the outdoor activities themselves, the chances of getting infected are 18.7% higher indoors than outdoors.

Ms. Price said she would direct her comments towards Dr. Bonds and Mr. Walker, but she trusted they understood that these comments were not just to them in their leadership roles, but to all the people who have worked with them to face this enormous challenge. She said the magnitude of the challenge they have had over the past year is beyond anything that anyone comprehended. She said she remembered a year ago being concerned that they might lose up to 250,000 Americans and now, they are almost at 600,000.

Ms. Price said to the entire County Executive leadership team and to Dr. Bonds and her staff, what they had done here is truly remarkable. She said paying attention throughout the year, as Dr. Bonds mentioned, Albemarle County's community has been the leader in the Commonwealth throughout the year in terms of lower numbers of infections. She said BRHD has faced tremendous challenges with supply systems to be able to vaccinate people. She said they are doing a great job, and they are getting more and more people vaccinated.

Ms. Price said the Ambassador Program that Albemarle County has implemented has been wildly successful, and it was not the draconian police that the naysayers said it was going to be. She said it has been a tremendous program to help the community. She said she is pleased that the vast majority of community members know that wearing masks saves lives, and she is also pleased to know that there are reports that are made when people see that people are not wearing their masks.

Ms. Price said she wanted to thank them for everything they have done to help people survive as well as they did through this. She said she was very much in support of the ordinance, which she thinks keeps them in alignment with the rest of the Commonwealth while, at the same time, ensuring they protect the community.

Ms. McKeel agreed with Ms. Price. She said the community has done a wonderful job, as well as staff, everyone who works in Albemarle County, and the Ambassador Program. She said she knows there were times when they were all working seven days a week, and she did not think the community appreciated how much work it really took on behalf of the County administrators and staff.

Ms. McKeel said her comment was more for Dr. Bonds, but it did seem to her that when going through a situation like this, it is always good to think about what they did right and what they did wrong. She said it occurred to her that coming out of the pandemic, they should be looking at systems and technology infrastructure in the state, specifically regarding the Health Departments' websites, software, and how they talk to each other (or did not talk to each other) to have everyone work smoothly through the process.

Ms. McKeel said she would be very interested at the right time, when the Board is talking to their legislators in the Legislative Packet, about having the BRHD help the Board think about a way to frame this. She said the state needs to address some of the technology systems infrastructure so that they do not find themselves in the same boat that they did this time. She said perhaps she was way off base.

Dr. Bonds replied that she thought Ms. McKeel was on point. She said the Health Department is

still operating on old technology, and it has most recently been to the point where their system freezes up periodically. She said the state is aware of this, and there have been efforts to upgrade not just the Health Department, but the state, to broadband and faster types of technology. She said it is just a very slow process.

Dr. Bonds said she thinks this has really pointed out the need to bring public health more into the future, but she thinks it is also a good point that it is very hard to upstaff an organization and be quick and nimble to respond to something. She said she thinks if there is any lesson she would like to come out of this, it is that public health needs sustain support much like what was shown in Albemarle, but across the nation so that they have appropriate resources and staff that are trained and ready to go when the next incident like this occurs.

Dr. Bonds said she is very fearful that the global reach of the country is such that it just takes one virus like COVID to mutate and sweep through the country again. She said they want to be in a position to respond to that, and this requires consistent support. She said she did not have any complaints at all about the support she has received from Albemarle County, Mr. Richardson, and his staff. She said it has been great, and she would thank them all for this support. She said this was about trying to address a more global support and infrastructure issue that has been brought to life by this.

Mr. Walker said he could take this a step further. He said having worked in local governments in Virginia for over 30 years now and having had great working relationships with the Health Districts and different jurisdictions he worked in, it had always been "us and them." He said it had been a significant disconnect on a day-to-day, operational level.

Mr. Walker said this experience has revealed some of the flaws in that relationship between a state agency operating at a local level (even regionally) and local government, and how important it is that they not only work close together as partners (as they do, and as they have proven), but that they work together in a much more cohesive, unified, uniform way.

Mr. Walker said this is not the system that they have, and he was not suggesting that they break the system, but he did think that some lessons learned, going forward, have to include how they integrate County operations with the Health District much more seamlessly than they have been traditionally. He said Albemarle does not have its own health department, and he believes Fairfax County is the only one that actually does have one. He said he was not suggesting this, per se.

Mr. Walker said he and the County Executive talked about this as recently as that day, and he did not want to belabor the point, but he did very much appreciate the acknowledgement of the work that County staff and the Health District staff have done. He said he thinks County staff has hit a bit of a rhythm. He said it took a while, but he thinks they are in a different place. He said the Health Department has not, and they have just shifted from pandemic to vaccine, then back to pandemic and vaccine. He said they probably are still working seven days a week and lots of hours per day. He said he did not want to miss an opportunity to acknowledge all of the appreciation the County has for what they have done to support the community.

Mr. Walker said he did think there were lessons learned that they will then have to carry forward beyond just the local Health District relationship with the state, but also with the local governments themselves. He said he was sure Albemarle County was just one example and that this is being played out everywhere.

Ms. McKeel said she did not want to lose track of this because she thinks it will be important that perhaps when the Board is thinking about its legislative packet, decades of not upgrading technology systems statewide needs to be addressed. She said she would love to have Dr. Bonds' voice to help the Board as to how to make this point to their representatives, as well as to the public. She said it does not happen by itself, and she understands it takes money, but it is critically important that they do this work.

Dr. Bonds agreed and said she would be happy to chat about it.

Mr. Gallaway encouraged everyone to continue wearing masks and socially distance. He said he believes this has started to become habitual, which in some ways was sad. He said in the first couple of months of the pandemic, people would reach out their hand for a handshake, as he is in a business where handshaking happens quite a bit, and it was so hard to not just reflexively want to shake someone's hand. He said for the first time over the weekend, someone did this, and his reflex was not to reach for the hand. He said he realized he was now habituated not to shake hands, whereas it had been something he always did.

Mr. Gallaway said these things still have to happen and while they may be approaching the dock, the ship is not there yet. He said they cannot be trying to get off the ship too soon. He said the social distancing and masking is all important, but even as a government, they do not want to start debriefing too soon for the same reasons. He said they should continue to be vigilant and do what they need to do, which he knew they were all doing.

Mr. Gallaway said to the point Ms. McKeel just made, at some point, they will be there, and this will be a massive debrief effort to go back, look at everything, and determine what the new reality is going to be. He said this was not just about technology but about staff, how they do business, how they run meetings, and everything. He said knowing Mr. Richardson and Mr. Walker, he suspected conversations were already in place about how this will happen, but it was probably somewhat down the road, so they

will not want to get there too soon and take their eyes off the progress they have made thus far.

Mr. Gallaway said the Board, to this point, has appreciated all the access and time Dr. Bonds has given them in providing updates. He said he knew she would continue to do so.

Mr. Kamptner said as often happens, when multiple drafts are created and evolve, he found something he needed to correct in Section 5(b) of the ordinance. He said he could just read the proposed language. He said he believed what had happened was that somewhere along the way, some clauses were deleted, and some concepts were garbled. He said he would read what the proposed language would state, which matches the executive order. He said he could not explain how it deviated from that.

Mr. Kamptner said Section 5(b) would read, "The total number of spectators indoors cannot exceed the lesser of 30% of the lowest occupancy load on the certificate of occupancy, if applicable, or 500 persons. The total number of spectators for outdoor venues cannot exceed 30% of the lowest occupancy load on the certificate of occupancy. If no occupancy load has been determined, the total number of spectators may not exceed 30% of the resulting number when the square footage of the venue likely to be accessed by spectators is divided by 40 square feet per person."

Mr. Kamptner said there was then the language that was already there that private bookings and entertainment, and amusement businesses may not exceed 50 persons if they are indoors, or 100 persons if they are outdoors.

Ms. LaPisto-Kirtley **moved** that the Board adopt Ordinance No. 21-E (1), entitled "An Emergency Ordinance to Prevent the Spread of the Novel Coronavirus, SARS-CoV-2, and the Disease It Causes, Commonly Referred to as COVID-19," and dated April 6, 2021, as presented.

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

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

NAYS: None.

EMERGENCY ORDINANCE NO. 21-E (1)

AN EMERGENCY ORDINANCE TO PREVENT THE SPREAD OF THE NOVEL CORONAVIRUS, SARS-CoV-2, AND THE DISEASE IT CAUSES, COMMONLY REFERRED TO AS COVID-19

WHEREAS, on March 11, 2020, the World Health Organization declared the outbreak of the novel coronavirus, SARS-CoV-2, and the disease it causes, commonly referred to as COVID-19, a pandemic (for reference in this Ordinance, this virus and the disease that it causes are referred to as "COVID-19"); and

WHEREAS, on March 12, 2020, the County Executive, acting as the Director of Emergency Management, declared a local emergency because of the COVID-19 pandemic pursuant to his authority under Virginia Code § 44-146.21, and this declaration was confirmed by the Board of Supervisors on March 17, 2020; and

WHEREAS, also on March 12, 2020, Governor Ralph S. Northam issued Executive Order Number Fifty-One ("EO 51") declaring a state of emergency for the Commonwealth of Virginia because of the COVID-19 pandemic; EO 51 acknowledged the existence of a public health emergency arising from the COVID-19 pandemic and that it constitutes a "disaster" as defined by Virginia Code § 44-146.16 because of the public health threat presented by a communicable disease anticipated to spread; and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency in response to the spread of COVID-19; and

WHEREAS, COVID-19 is extremely easy to transmit, can be transmitted by infected people who show no symptoms, and the population has not developed herd immunityⁱ, and in recent months several variants of COVID-19 now exist both globally, in the United States, and the Commonwealth of Virginia, including the variant identified as B.1.1.7, and which appear to be more contagious, resistant to certain medications, moderately reduce the effectiveness of antibodies generated by a previous COVID19 infection or COVID-19 vaccine, or some combination thereofⁱⁱ; and

WHEREAS, these person-to-person, close contact, transmissions occur primarily through infected secretions such as saliva and respiratory secretions, or through their respiratory droplets, which are expelled when an infected person coughs, sneezes, talks or sings; and some outbreak reports related to indoor crowded spaces have suggested the possibility of aerosol transmission, combined with droplet transmission, for example, during choir practice, in food establishments, or in fitness classesⁱⁱⁱ; and

WHEREAS, COVID-19 spread is more likely when people are in close contact with one another (within about six feet), and by airborne transmission, which may be able to infect people who are further than six feet away from the person who is infected or after that person has left the space^{iv}; and

WHEREAS, the United States Centers for Disease Control and Prevention (“Centers for Disease Control”) caution that: (1) the more people a person interacts with at a gathering and the longer that interaction lasts, the higher the potential risk of becoming infected with COVID-19 and COVID-19 spreading; (2) the higher level of community transmission in the area that a gathering is being held, the higher the risk of COVID-19 spreading during the gathering; and (3) large in-person gatherings where it is difficult for persons to remain spaced at least six feet apart and attendees travel from outside the local area pose the highest risk of COVID-19 spreading^v; and

WHEREAS, the World Health Organization, the Centers for Disease Control, and the Virginia Department of Health have identified several behaviors and practices that are fundamental in controlling the spread of COVID-19 in the community: (1) wearing a cloth face covering when in public; (2) maintaining a separation of at least six feet between people (“social distancing” or “physical distancing”); (3) limiting the size of gatherings in public places; (4) limiting the duration of gatherings; (5) frequently washing hands; and (6) sanitizing frequently touched surfaces^{vi}; and

WHEREAS, the Centers for Disease Control state that cloth face coverings are strongly encouraged in settings where persons might raise their voice (e.g., shouting, chanting, singing)^{vii}; and

WHEREAS, the Centers for Disease Control advise, in restaurants: (1) wearing cloth face coverings when less than six feet apart from other people or indoors; (2) wearing face coverings as much as possible when not eating; (3) maintaining a proper social distancing if persons are sitting with others who do not live with the person; and (4) sitting outside when possible^{viii}; and

WHEREAS, for these and related reasons, the Virginia Department of Health has stated that those businesses that operate indoors and at higher capacity, where physical distancing “recommendations” are not observed, sharing objects is permitted, and persons are not wearing cloth face coverings, create higher risk for the transmission of COVID-19^{ix}; and

WHEREAS, since Governor Northam issued EO 51 on March 12, 2020, he has issued several more Executive Orders jointly with Orders of Public Health Emergency issued by M. Norman Oliver, MD, MA, State Health Commissioner, pertaining to COVID-19; and

WHEREAS, on December 10, 2020, Governor Northam issued Executive Order Number Seventy Two (2020) and Order of Public Health Emergency Nine, Common Sense Surge Restrictions, Certain Temporary Restrictions Due to Novel Coronavirus (COVID-19) (collectively referred to as “EO 72”) which imposes further directions and restrictions, and it has since been amended, most recently on March 23, 2021; and

WHEREAS, on July 27, 2020, the Board of Supervisors adopted Ordinance No. 20-E(5), “An Emergency Ordinance to Prevent the Spread of the Novel Coronavirus, SARS-CoV-2, and the Disease it Causes, Commonly Referred to as COVID-19,” which became effective August 1, 2020, established regulations pertaining to: (1) the maximum indoor occupancy allowed at restaurants, farm wineries, limited breweries, and limited distilleries; (2) the maximum size of public and private gatherings; and (3) the requirement for persons to wear face coverings in public places; and

WHEREAS, the ordinance first adopted as Ordinance No. 20-E(5) has been amended as necessary as both emergency and non-emergency ordinances since its original adoption, most recently on January 6, 2021 (Ordinance No. 21-A(1)), and Ordinance No. 21-A(1) expires on April 7, 2021; and

WHEREAS, as of April 5, 2021, three COVID-19 vaccines have received emergency use authorization by the United States Food and Drug Administration^x, and there are treatments available for persons with COVID-19 in certain circumstances^{xi}; and

WHEREAS, as of April 5, 2021, the total number of persons in the United States fully vaccinated against COVID-19 is approximately 57.4 million, or approximately 17.5% of the population^{xii}; the total number of persons in Virginia fully vaccinated against COVID-19 is 1,520,918 or 17.86% of the population^{xiii}; and

WHEREAS, as of April 5, 2021, the COVID-19 case, hospitalization, and death rates are as follows: (1) in the United States, the seven-day average number of new daily cases is 136 per 100,000 persons^{xiv}; (2) in the Commonwealth of Virginia, the seven-day average number of daily cases is 16.2 per 100,000 persons, the seven-day average of new daily hospitalizations reported is 0.7 per 100,000 persons, and the seven-day average number of new daily deaths reported is 0.2 per 100,000 persons^{xv}; and (3) in Albemarle County, the seven-day average number of daily cases is 9.9 per 100,000 persons, the seven-day average of new daily hospitalizations reported is 0.7 per 100,000 persons, and the seven-day average number of new daily deaths reported is 0.1 per 100,000 persons^{xvi}; and

WHEREAS, in the past week in the Commonwealth of Virginia, new daily reported COVID-19 cases fell 8.4%, new daily reported COVID-19 hospitalizations rose 0.9%, and new daily reported COVID-19 deaths rose 53.8%^{xvii}; and

WHEREAS, despite national caseloads and warnings of a surge in COVID-19 cases resulting from the relaxation or complete lifting of COVID-19-related public health protocols^{xviii}, EO 72 describes itself as

a slight easing of certain restrictions and cautions that "every Virginian must continue to practice measures that are proven to keep people safe: avoid gatherings with anyone outside your household, practice hand sanitation, maintain proper physical distance from others, stay home when possible, and wear masks while indoors and in public^{xix}; and

WHEREAS, the Blue Ridge Health District states that "current public health conditions are favorable for loosening the current mitigation strategies [in the County's current ordinance, Ordinance No. 21-A(1)], and aligning with the changes in Executive Order 72".

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that:

Sec. 1. Purpose

For the reasons stated in the recitals, the purpose of this Ordinance is to prevent the spread of COVID-19.

Sec. 2. Authority

This Ordinance is authorized by Virginia Code § 15.2-1200, which enables the County, through its Board of Supervisors, to adopt "necessary regulations to prevent the spread of contagious diseases among persons . . ." that "are not inconsistent with the general laws of the Commonwealth." This Ordinance is adopted as an emergency ordinance pursuant to Virginia Code § 15.2-1427(F).

Sec. 3. Definitions

The following definitions apply to this ordinance:

- A. "Entertainment and amusement businesses" includes performing arts venues, concert venues, sports venues, convention centers, expos, movie theaters, museums, aquariums, fairs, carnivals, public and private social clubs, botanical gardens, entertainment centers, historic horse racing facilities, bowling alleys, skating rinks, arcades, trampoline parks, arts and craft facilities, escape rooms, amusement parks, zoos, and other places of indoor public amusement.
- B. "Face covering" means an item normally made of multiple layers of cloth or various other breathable materials that complies with the Centers for Disease Control's recommendations for face coverings, with elastic bands or cloth ties to secure over the wearer's nose and mouth in an effort to contain or reduce the spread of potentially infectious respiratory secretions at the source (i.e., the person's nose and mouth).
- C. "Family members" are all individuals residing in the same household or visiting such household pursuant to a child custody arrangement or order.
- D. "Farm winery" means an establishment that is required to be licensed as a farm winery under Virginia Code § 4.1-207.
- E. "Food establishment" means a food establishment as defined in 12VAC5-421-10 and the term includes, but is not limited to, any place where food is prepared for service to the public on or off the premises, or any place where food is served, including restaurants, lunchrooms, short order places, cafeterias, coffee shops, cafes, taverns, delicatessens, and dining accommodations of public or private clubs. For purposes of this Ordinance, "food establishment" does not include kitchen facilities of hospitals and nursing homes, dining accommodations of public and private schools and institutions of higher education, and kitchen areas of local correctional facilities subject to standards adopted under Virginia Code § 53.1-68.
- F. "Gathering" includes, but is not limited to, parties, celebrations, wedding receptions, or other social events, whether they occur indoors or outdoors. The following are not "gatherings": (1) the gathering of family members who live in the same residence; (2) the presence of persons performing functions of their employment or assembled in an educational instructional setting; (3) the presence of persons in a particular location, such as a park or retail business, provided that those persons do not congregate; and (4) the presence of persons in shared spaces not expressly addressed in Section 5 but which may be subject to restrictions on the maximum size of gatherings in EO 72 or any state or federal law or order that are unique to that institution, business sector, facility, activity, or event.
- G. "Limited brewery" means an establishment that is required to be licensed as a limited brewery under Virginia Code § 4.1-208.
- H. "Limited distillery" means an establishment for which a limited distiller's license is required under Virginia Code § 4.1-206.
- I. "Parties" means an individual patron consuming food and/or beverages alone, or a group of patrons consuming food and/or beverages together.
- J. "Public place" means: (1) any indoor place shared by other persons, including, but not limited to, local government buildings, retail stores, food establishments, theaters, personal care and personal grooming services, and transportation facilities and vehicles other than a personal vehicle as well as waiting and congregating areas associated with boarding public transportation; or (2) any outdoor place shared by other persons who are not family members. "Public place"

does not include a person's residence or personal vehicle. "Public place" also does not include institutions of higher education and other schools, fitness and other exercise facilities, religious institutions and places where religious rituals are conducted, areas under state or federal jurisdiction or control, indoor shooting ranges, and the County courthouse buildings, provided that they, and any other institutions, business sectors, and locations shared by other persons not expressly addressed in Section 6 may be subject to face covering requirements in EO 72 or any state or federal law or order that are unique to that institution, business sector, facility, activity, or event.

Sec. 4. Limitation on the Number of Persons at Food Establishments, Farm Wineries, Limited Breweries, and Limited Distilleries

- A. *Indoor occupancy.* All parties at food establishments, farm wineries, limited breweries, and limited distilleries must be separated by at least six feet, including in the bar area. Tables at which dining parties are seated must be positioned six feet apart from other tables. If tables are not movable, parties must be seated at least six feet apart, including in the bar area. All private bookings are limited to 50 people indoors and 100 people outdoors.
- B. *State requirements, recommendations, and guidance.* This section does not affect any requirement, recommendation, or guidance in EO 72 including, but not limited to, those requiring or recommending physical distancing and wearing face coverings, which are referred to in EO 72 as "masks," that apply to food establishments, farm wineries, limited breweries, and limited distilleries. This section also does not affect any Order of Public Health Emergency of the State Health Commissioner, any workplace safety regulations, or any other State or federal laws related to the COVID-19 pandemic.

Sec. 5. Limitation of the Number of Attendees at Gatherings and Certain Events and Activities

- A. Generally. All public and private in-person gatherings, as defined in Section 3(F), of more than 50 persons if they are indoors, or 100 persons if they are outdoors, are prohibited, except as provided in Sections 5(B) and (C).
- B. Entertainment and amusement businesses. The total number of attendees (including both participants and spectators) at entertainment and amusement businesses may not exceed 30 percent of the lowest occupancy load stated on the certificate of occupancy, provided that if there is not a stated occupancy load, the total number of attendees may not exceed 30 percent of the resulting number when the square footage of the venue likely to be accessed by attendees is divided by 40 square feet per person. Private bookings at entertainment and amusement businesses may not exceed 50 persons if they are indoors, or 100 persons if they are outdoors.
- C. Recreational sports. The total number of attendees (either spectators, or spectators and participants, as stated below) at indoor and outdoor recreational sports activities are limited as follows:
 - 1. Indoor sports. For sports played indoors, the total number of spectators may not exceed the lesser of 30 percent of the occupancy load stated on the certificate of occupancy for the venue or 100 persons per field.
 - 2. Outdoor sports. For sports played outdoors, the total number of spectators may not exceed the lesser of 30 percent of the occupancy load stated on the certificate of occupancy for the venue or 500 persons per field.
 - 3. Races or marathons. For races or marathons, the total number of attendees (including participants and spectators) may not exceed 30 percent of the resulting number when the square footage of the venue likely to be accessed by persons is divided by 40 square feet per person, and with staggered starts separating runners into groups of 50 persons or less.
- D. State requirements, recommendations, and guidance. Sections 5(A), (B), and (C) incorporate the corresponding limitations in EO 72 on gathering sizes and persons attending certain events and activities in the County. However, this section does not affect any other applicable requirement, recommendation, or guidance in EO 72 including, but not limited to, those requiring or recommending physical distancing pertaining to entertainment and amusement businesses and recreational sports and wearing face coverings, which are referred to in EO 72 as "masks." This section also does not affect any requirement, recommendation, or guidance pertaining to business sectors and other events and activities subject to EO 72, or as it may be further amended or superseded, any Order of Public Health Emergency of the State Health Commissioner, any workplace safety regulations, or any other State or federal laws related to the COVID-19 pandemic. This section also does not affect the exceptions in section I(D)(3) of EO 72.

Sec. 6. Face Coverings

- A. Face coverings required. Face coverings must be worn by all persons aged five years and older in public places, as defined in Section 3(J), except as provided in Sections 6(B) and (C).
- B. Persons not required to wear face coverings. Face coverings are not required to be worn by the following persons:
 - 1. Children. Children four years of age or under.
 - 2. Wearing face covering poses certain risks. Persons for whom wearing a face covering

poses a bona fide and substantial mental or physical health risk, such as persons who have trouble breathing, a health condition, or a disability. For this exception to apply: (i) the person must present a valid document from a physician or other health care practitioner licensed, accredited, or certified to perform specified health care services, including mental health services, consistent with state law, stating that wearing a face covering would be contrary to the person's health or safety, and the date on which the person may begin wearing a face covering again; and (ii) the public place must be unable to provide goods, services, or activities outdoors to the person or to the adult accompanying a child four years of age or under. This section does not require either the person or the physician or other health care practitioner to disclose the underlying health risk, health condition, or disability

3. Certain employees. On-duty employees exempt from wearing face coverings by workplace safety regulations promulgated by the State Safety and Health Codes Board or exempt from face covering rules established by an applicable Executive Order of the Governor or an Order of Public Health Emergency of the State Health Commissioner.
- C. Circumstances when face coverings are not required to be worn by persons. Face coverings are not required to be worn by persons in the following circumstances:
1. Outdoor activities. While a person is outdoors in a public place such as a parks and other open space, provided that at least six feet of physical distancing from any person who is not a family member defined in Section 3(C) is maintained.
 2. Eating or drinking. While a person is eating food or drinking a beverage.
 3. Exercising. While a person is exercising or using exercise equipment.
 4. Certain musical instruments. While a person is playing a musical instrument, whether indoors or outdoors and in a rehearsal or during a performance, when wearing a face covering would inhibit playing the instrument, such as a wind instrument, if at least 10 feet of physical distancing can be maintained from other persons.
 5. Incapacity. Any person who has trouble breathing, or is unconscious, incapacitated, or otherwise unable to remove the mask without assistance.
 6. Communicating with the hearing impaired. While a person is communicating with the hearing impaired and for which the mouth must be visible.
 7. Receiving services. While a person is receiving governmental or medical services if removing the face covering is necessary to receive the services.
 8. End of the waiver of Virginia Code § 18.2-422. When the waiver of Virginia Code § 18.2-422, currently established in section II(F) of EO 72, or as it may be further amended or superseded, ends.
- D. Responsibility of adults accompanying minors. Adults accompanying minors should use their best judgment regarding placing face coverings on any minor between the ages of two through four in public places. Adults accompanying minors between the ages of five through 17 must use reasonable efforts to prompt the minor to wear face coverings while in public places.

Sec. 7. Effect of More Restrictive Executive Order or Order of Public Health Emergency

Section 4, 5, or 6 does not apply when a more restrictive requirement in an Executive Order of the Governor or an Order of Public Health Emergency of the State Health Commissioner is in effect.

Sec. 8. Penalties

- A. Penalty for violation of Section 4. A violation of Section 4 by the owner of the food establishment, farm winery, limited brewery, or limited distillery, and any manager or assistant manager, however titled, responsible for the operation and management of the food establishment, farm winery, limited brewery, or limited distillery on the date of the violation, is punishable as a Class 3 misdemeanor. Violations of the requirements of EO 72 referenced in Section 4(B) are enforced pursuant to EO 72 rather than this Ordinance.
- B. Penalty for violation of Section 5. A violation of Section 5 by the owner or tenant of the private property on which the gathering is located, is punishable as a Class 1 misdemeanor. A violation of Section 5 by any person attending the gathering, after first being warned by a law enforcement officer to disperse from the gathering because it exceeds the limitation for a gathering and having failed to disperse after a reasonable period of time not to exceed two minutes, is punishable as a Class 1 misdemeanor. Violations of the requirements of EO 72 referenced in Section 5(D) are enforced pursuant to EO 72 rather than this Ordinance.
- C. Penalty for violation of Section 6. A violation of Section 6 by any person subject to its requirements is punishable as a Class 1 misdemeanor. No person under the age of 18 is subject to a criminal penalty for failing to wear a face covering.
- D. Injunctive relief. The County, the Board of Supervisors, and any County officer authorized by law, may seek to enjoin the continuing violation of any provision of this Ordinance by bringing a proceeding for an injunction in any court of competent jurisdiction.

Sec 9. Succession to Ordinance No. 21-A(1) and Duration

This Ordinance succeeds Ordinance No. 21-A(1) and is in effect on April 7, 2021 and continues in full force and effect for 60 days unless it is re-adopted following a noticed public hearing on or before the

60day period expires.

Sec. 10. Effect of this Ordinance on the Powers of the Director of Emergency Management

This Ordinance does not affect the powers of the County Executive, acting as the Director of Emergency Management pursuant to Virginia Code § 44-146.21 during the COVID-19 disaster.

Sec. 11. Severability

It is the intention of the Board of Supervisors that any part of this Ordinance is severable. If any part of the Ordinance is declared unconstitutional or invalid by the valid judgment or decree of a court of competent jurisdiction, the unconstitutionality or invalidity does not affect any other part of this Ordinance.

State law reference – Va. Code §§ 15.2-1200, 15.2-1427(F), 15.2-1429, 15.2-1432, 18.2-11.

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

Mr. Gallaway said the Board would discuss one parked topic before going in the speaking order. He said this was about Community Development's plans regarding updating the County Code in tandem with the Comprehensive Plan, at Ms. Palmer's request

Ms. Palmer said she went back and listened to the Board's meeting from March, when they discussed the Comprehensive Plan and the Zoning Ordinance update. She said she recognized after listening to it that the Board gave staff clear guidance on the Comprehensive Plan, but they went through another round at the end, and most of the Supervisors said they wanted to do something about the Zoning Ordinance. She said there was not, however, clear guidance to staff.

Ms. Palmer said it was also clear that this is a very big subject as far as updating the Zoning Ordinance, as there are a lot of different parts. She said there are different priorities with different Board members. She said she talked with Mr. Kamptner and Mr. Walker about this, and she asked Mr. Walker to speak with the Board on giving them another opportunity to give some clear guidance to staff, and for staff to possibly come back with some ideas on how to move forward with the Zoning Ordinance updates in their Community Development Plan, which is coming in May. She said she would turn it over to Mr. Walker.

Mr. Walker said it sometimes feels easier to try to explain the COVID ordinance than where they are in working through zoning changes, but he would give it a shot. He said he did speak with Ms. Palmer, and she and he spoke with Mr. Kamptner. He said he has spoken with CDD, so he thinks they have triangulated quite a bit and that he could at least share what the Board would see next.

Mr. Walker said the way that he characterizes the challenges with the complexity of how they talk about the Zoning Ordinance changes is in three buckets, which the Board has all heard about in different ways. He said one is the fact that their ordinance is 40 years old and needs to be modernized. He said there is a set of activities that occur in order to modernize the County's very old, obsolete, disconnected Zoning Ordinance. He said some of that work has already occurred, and some of it needs to occur, but it is not directly related necessarily to the next version of the Comprehensive Plan.

Mr. Walker said that on the other side is the Zoning Ordinance as an implementation tool that is specifically intended to implement the Comprehensive Plan, and this is the zoning work that one would reasonably expect to follow the update of the Comprehensive Plan. He said they have talked with CDD staff and the County Attorney, and they do not think it needs to totally wait until after all the Comprehensive Plan work is done. He said they do think they can advance that a bit and start on it sooner so that they do not have that large delay.

Mr. Walker said this is where he feels some frustration, which he shares with Ms. Palmer, where it is like Groundhog Day where they are now where they were then when they adopted the last Comprehensive Plan. He said he was not blaming, and if anyone could be blamed, it would be him. He said these are two different elements of work.

Mr. Walker said the third is where the Board and staff has spent most of its time on an ongoing, which he characterizes as legislative initiatives. He said these are the changes in the Zoning Ordinance that allow them to do different things. He gave Dark Sky as an example, noting this is already identified in the current Comprehensive Plan and will likely be identified in future Comprehensive Plans. He said there has been interest expressed in improving the Zoning Ordinance as it relates to that program, but it has not worked its way up as a priority within the work program.

Mr. Walker said the other example he has used is the Wireless Policy. He said the Board has also been interested in that. He said it was funded last year prior to the pandemic, was suspended, and will be coming back to the Board in May with funding identified to move forward. He said it was not intended that this wait until after they finish the Comprehensive Plan, nor is it intended that it wait until after they modernize the 40-year-old Zoning Ordinance. He said these things can happen simultaneously, and they have to be thoughtful, intentional, and careful about what they are working on, then what resources are required in order to get it all the way through.

Mr. Walker said staff has heard the Board, and they do want to be responsive. He said they will be coming back in May with the work program to talk about how they can accomplish these three things without just pushing everything off until the end of the Comprehensive Plan. He said it does not mean

that they will have enough resources to do all that the Board wants to do. He said if he has learned anything, it is that the Board always would like them to do things faster than they can. He said he was looking at Ms. Mallek when he said that. He said staff will be honest and clear with the Board about what they think it will take to do these things, then engage with the Board about where it is that the Board thinks the priorities are.

Mr. Walker said lastly, staff recognizes the need for resources to accomplish the work. He said as the County Attorney, County Executive, and CDD have discussed, they believe that they can advance some of this work using outside resources to supplement their current staff. He reiterated that they have to be thoughtful about this because they cannot just turn it over to someone, and it still requires work to coordinate. He said he did not know that in the past, they have been as effective at coordinating that work, but they think they are better able to do that now with what they have learned through their Project Management Office on how they structure outside support in conjuncture with internal resources. He said they will have to work through that, too.

Mr. Walker said this was a long explanation, and he appreciated the Board's patience in hearing it, realizing it may generate some questions. He said staff will be coming back to the Board in May with what they think will be a plan that tries to reflect what they have heard from the Board.

Ms. Palmer said she wanted to add one more thing that Mr. Kamptner said to her in one of their many conversations about this. She said it might actually be a good idea to have an outside resource be looking at the ordinance. She said perhaps Mr. Kamptner could say some words about that, as she thought it was an interesting comment.

Mr. Kamptner said they have the ability to provide a different perspective, and even though they have a group of young planners, a number of them have been there long enough where they may be thinking in terms of the ordinance they currently have. He said an outside perspective could be valuable.

Ms. Mallek said she was very grateful for the parallel approach.

Ms. LaPisto-Kirtley said she also liked the parallel approach and looked forward to seeing what they will need to be able to do that. She said she thinks this is very important and they should invest in moving forward.

Ms. Price concurred, adding that she was reminded of the words of a wise man who once said, "We can do anything, but we can't do everything."

Ms. McKeel said she could not wipe the grin off her face because she was so happy to hear that this is what they are thinking about doing. She said she talked to Mr. Kamptner about this as well, and he did make the point that it is sometimes good to get an outside look and opinion on things. She said with the staff they have now and having learned a lot of lessons, they will be able to work well with the consultants on this process. She said she is very pleased with this because they have been in a churn that they have to get out of.

Mr. Gallaway asked if there were any other items from the Supervisors.

Ms. Price said she was so appreciative of the work everyone has done to help protect people during this pandemic. She said she thinks everyone is feeling more optimistic but as was mentioned earlier, they are not out of the woods yet. She said she wanted to remind and encourage everyone to wear their masks and maintain their social distancing, as they have a good chance of getting through this.

Ms. McKeel said something came across her desk and reminded her that at one point, the Board talked with Mr. Kamptner about Mr. Kamptner and the City Attorney working together to come up with a protocol for appointing at-large representations on the committees that they share, where the City has an at-large and the next time the position comes up, the County is the appointee. She asked Mr. Kamptner if he remembered that discussion.

Mr. Kamptner said he did. He said this was an idea from a couple of years ago.

Ms. McKeel said they got into somewhat of a disconnect with the City because they were appointing someone, and no one knew. She said there was an informal protocol followed, but it is not written down anywhere. She said before they get themselves in this position again with appointing an at-large between the City and the County, she wants to make sure they have addressed that. She said there will be someone coming up before too long because it has been at least two years since they have talked about this, and they just need to make sure that at least with the City, they have a clear understanding of what that process looks like.

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

Mr. Jeff Richardson, County Executive, said he had one brief announcement that Ms. Emily Kilroy, Director of CAPE, and her team have been working judiciously on the Albemarle County Community Report for 2020, and he believed they were in the final stages of going through editing and final drafts. He said his hope is that this should be ready for release by late that week, and certainly by Monday, April 12. He said it was beautifully done, and they will be excited to get this to the Board and community. He thanked staff for the hard work that went into that.

Ms. Mallek asked if there was a distribution plan for the community report that already goes to libraries, where people can pick it up, or if this was something the Board should be thinking about helping with.

Mr. Richardson said this was a great question and that he would hand it over to Ms. Kilroy.

Ms. Emily Kilroy, Director of Communications and Public Engagement, replied yes. She said staff typically does deliver a big box of annual reports to JMRL to put out at all of the Albemarle County branches. She said they would send this out over email and have some paper copies put into the Board members' mailboxes. She said the release that week would be digital, and they will then move into the paper copies in the next week or so. She said they will make sure the Board gets a good stack for constituents and events they go to as things continue to open up.

Ms. Mallek said the post office always has a counter where she can put things, and this is a great place to get them out.

Agenda Item No. 24. Adjourn to April 21, 1:00 p.m., electronic meeting pursuant to Ordinance No. 20-A(16)

At 7:07 p.m., the Board adjourned its meeting to April 21, 2021 at 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 03/01/2023
Initials CKB