



# Albemarle County

## Legislation Text

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**File #:** 18-518, **Version:** 1

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**AGENDA DATE:** 10/3/2018

**TITLE:**

Resolution to Authorize the County's Acceptance of an Unmanned Aircraft System in Search and Rescue Operations

**SUBJECT/PROPOSAL/REQUEST:** Resolution to authorize the acceptance of an unmanned aircraft system to be used by the Sheriff's Office in its search and rescue operations

**ITEM TYPE:** Consent Action Item

**STAFF CONTACT(S):** Richardson, Kamptner, Farley, Harding

**PRESENTER (S):** N/A

**LEGAL REVIEW:** Yes

**REVIEWED BY:** Jeffrey B. Richardson

**BACKGROUND:** In 2016 and 2017, the County accepted the donation of three unmanned aircraft systems ("UAS") from three different individuals to be used by the Sheriff's Office for its search and rescue functions, including related training, as well as to perform incident situation awareness and incident scene documentation functions that are not for law enforcement purposes, as permitted by Virginia Code § 19.2-60.1. Virginia Code § 15.2-951 authorizes counties to receive gifts of personal property.

The County owns the three donated UASs, and obtained the public use Certificates of Authorization. In order to use a UAS for search and rescue operations, a public use Certificate of Authorization must be obtained from the Federal Aviation Administration (the "FAA"). Pursuant to 49 U.S.C. § 40102(a)(41), only a political subdivision, such as the County, may receive a public use Certificate of Authorization to own and operate a UAS. The Sheriff's Office is not a political subdivision of Virginia.

The County and the Sheriff entered into a Memorandum of Understanding ("MOU") for each of the three UASs, which sets forth provisions regarding ownership, use, and insurance requirements.

**STRATEGIC PLAN:** Quality Government Operations Ensure County government's capacity to provide high quality service that achieves community priorities.

**DISCUSSION:** The Sheriff's Office has purchased a fourth UAS to be used for search and rescue purposes. The UAS must be owned by the County, and the County and the Sheriff must enter into an MOU in order to allow the Sheriff's Office to perform search and rescue functions with the UAS.

The County Attorney and the Sheriff have reviewed and approved the attached MOU (Attachment A), and the County Attorney has prepared the attached Resolution (Attachment B) authorizing the County's acceptance of the UAS and authorizing the County Executive to execute the MOU.

**BUDGET IMPACT:** There is no budget impact related to the County's acceptance of the UAS.

**RECOMMENDATION:**

Staff recommends that the Board adopt the attached Resolution (Attachment B) authorizing the County's acceptance of the UAS and authorizing the County Executive to sign the MOU.

**ATTACHMENTS:**

A - Memorandum of Understanding

B - Resolution Authorizing Acceptance of UAS